

MINORITY INFLUENCE ON PUBLIC ORGANIZATION CHANGE:
LATINOS AND LOCAL EDUCATION POLITICS

A Dissertation

by

ERIC JUENKE

Submitted to the Office of Graduate Studies of
Texas A&M University
in partial fulfillment of the requirements for the degree of
DOCTOR OF PHILOSOPHY

August 2005

Major Subject: Political Science

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ABSTRACT

Minority Influence on Public Organization Change:

Latinos and Local Education Politics. (August 2005)

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The research presented here has three major purposes. The first is to explain how political institutions and policy outputs can change in the presence of a growing minority population when the preferences of these minorities differ from those of the majority. I show how representation in all three branches of government can lead to these changes, specifically in the local legislature and local bureaucracy. Secondly, I demonstrate the relationship between local legislative representation of Latino minority populations to substantive policy outcomes that favor this minority group, and explain how variable electoral institutions influence this relationship. The third general purpose of this research is to make the argument that the study of minority politics need not take place within a theoretical vacuum. That is, I use theories of *minority* group behavior (as opposed to *Latino* group behavior), and relevant empirical tests, to inform mainstream democratic theory. What democratic theory is missing, I argue, is the ability to fully explain and predict changes in institutions, policy, and policy outputs in a dynamic preference environment. Examining minority politics over time helps fill this void.

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CHAPTER I

INTRODUCTION

The research presented here has three major purposes. The first is to explain how political institutions and policy outputs can change in the presence of a growing minority population when the preferences of these minorities differ from those of the majority. I show how representation in all three branches of government can lead to these changes, specifically in the local legislature and local bureaucracy. Secondly, I demonstrate the relationship between local legislative representation of Latino minority populations to substantive policy outcomes that favor this minority group, and explain how variable electoral institutions influence this relationship. The third general purpose of this research is to make the argument that the study of minority politics need not take place within a theoretical vacuum. That is, I use theories of *minority* group behavior (as opposed to *Latino* group behavior), and relevant empirical tests, to inform mainstream democratic theory. What democratic theory is missing, I argue, is the ability to fully explain and predict changes in institutions, policy, and policy outputs in a dynamic preference environment. Examining minority politics over time helps fill this void.

Latinos and Education: Fertile Ground for Policy Change

The massive growth of the Latino population in the United States during the 1980's and 1990's created new challenges for American democracy. During these two

This dissertation follows the style of *The American Journal of Political Science*.

decades, the Latino¹ population grew by 141 percent, while the African-American population increased by 31 percent, and the Anglo population increased by only 12 percent (Census 2000). Still a substantial minority, Latinos nearly doubled their share of the American demographic, moving from 6.4 percent of the population to 12.5 percent from 1980 to 2000. This transformation has gained the widespread attention of political leaders and researchers because Latinos have the potential to bring different preferences into the policy process, coupled with the political numbers to press for resources.² Changes of this type put the political system under stress because previous winning coalitions must now attend to the desires of a newly competing (and growing) group.

This study is about the institutional constraints these groups face in their efforts to transform policy. It is also an assessment, conversely, of the policy changes minority groups can initiate, and how they transform the political establishment. If political institutions are simply the legitimized preferences of past winning coalitions, then a new group with differing preferences inherently interacts with previous coalitions indirectly through these formal structures. Thus, new minority groups both affect, and are affected by, previous winning coalitions in all phases of the policy processes. In the theoretical and empirical analyses presented here, I examine the effects of political institutions on a

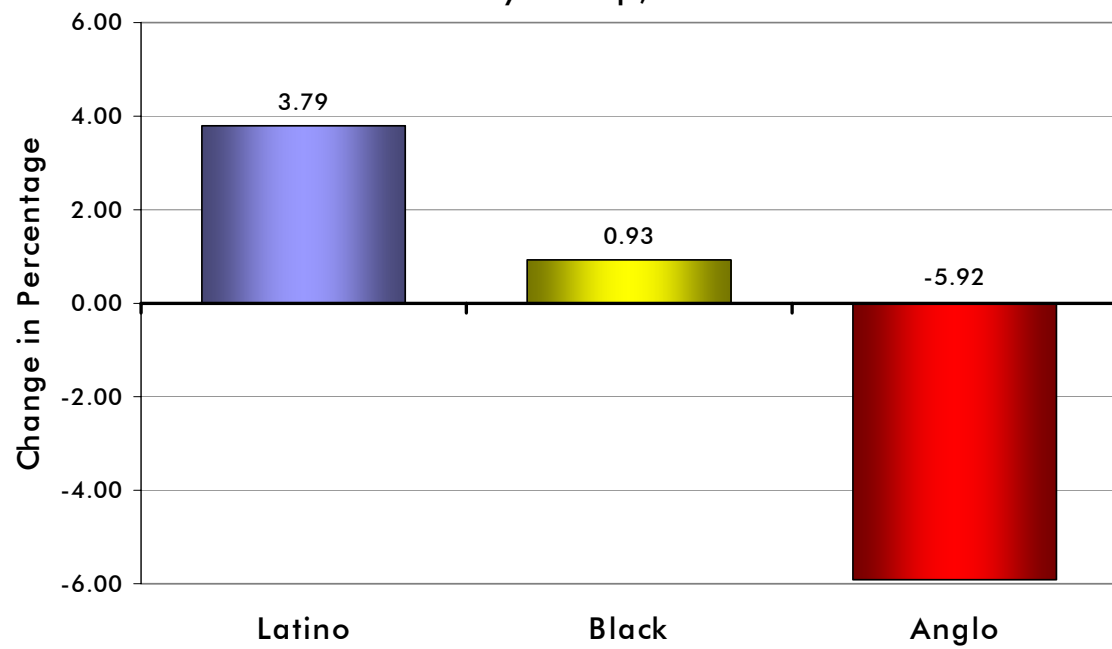
¹ I use the term Latino instead of Hispanic for reasons of consistency and clarity. I share Rodolfo de la Garza's (2004, 1) feeling that there is no substantive difference between the two terms, however "Latino" does appear to be currently preferred by scholars. In terms of pan-ethnic coverage, I do not differentiate between different Latino sub-groups in this research, but I do recognize the need to do so in future national studies. For the most part, the Texas school systems during the time period under scrutiny were dealing with an influx of Mexican-American families. Although there are preference differences between this Latino sub-group and others, they are not nearly as large or interesting as the differences between Latinos and the Anglo majority.

² It is the *growing* Latino presence that has politicians and scholars taking notice. The anticipation of future population figures (and in many places "majority" status) may have a greater impact on current political dynamics than the present population levels.

changing minority presence in the U.S. education system, as well as the effects of these groups on the political process over time. The general theoretical goal is to highlight how minority coalitions bargain and negotiate with majority coalitions in the present, and also with those from the past. Presumably, we could look at a broad array of salient Latino policy areas to test these interactions; however, this effort will focus carefully on one issue over time.

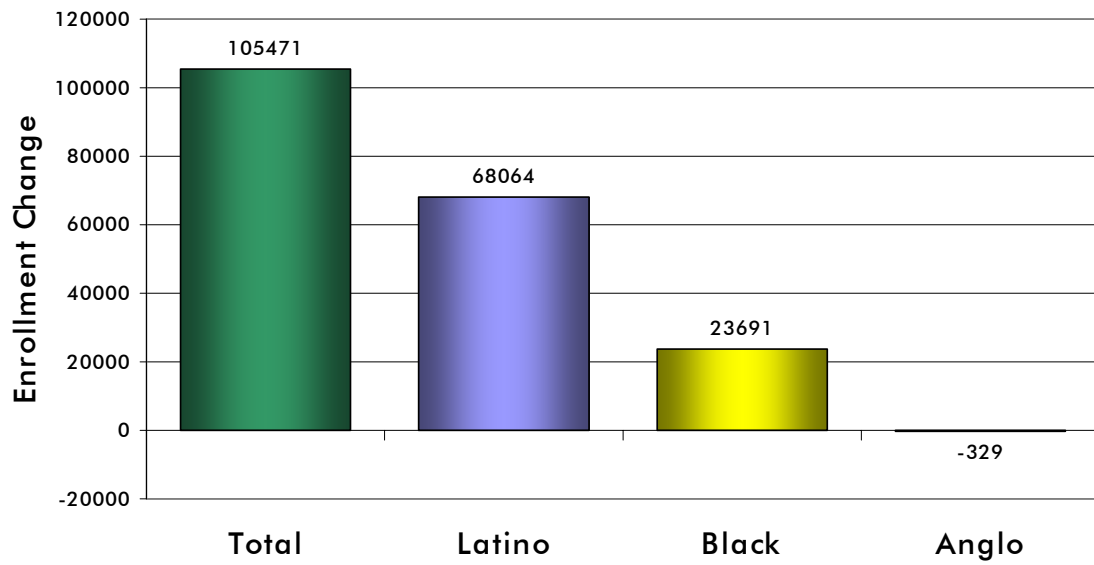
For members of the Latino community, no political issue is more important than education. Latino respondents consistently rank it above other issues such as the economy, health care, and immigration (Pew 2004a). A mix of economic, social, political, and cultural factors help explain this prioritization. First, Latino families typically have lower levels of wealth than Anglos, placing them in lower income school districts and under-performing schools. Secondly, the Latino population is younger than the Anglo and Black populations (making this issue salient for more Latino families), with a significantly lower median age of any racial or ethnic group in 2000, and a much larger percentage of five to nineteen year-olds than non-Latinos in 1980 and 2000 (Therrien and Ramirez 2001). This younger demographic is reflected in the massive influx of Latino students to the education system between 1990 and 2000. As Figures 1.1 and 1.2 demonstrate, Latino enrollment in the United States was the driving force behind the total enrollment increase across the United States during the 1990's.

Figure 1.1: Average Change in Percentage of State Enrollment by Group, 1990-2000



Source: U.S. Census Bureau (2000)

Figure 1.2: Average State Enrollment Change by Group, 1990-2000



Source: U.S. Census Bureau (2000)

A third reason for the importance of education in the Latino community is that Latino children often have different needs than traditional American students, ranging from bilingual education to culturally responsive instruction (Pew 2004b). It is the consistent pattern of preference differences between minority and non-minority groups that make the political interaction of these groups worth investigating. Finally, Latino education preferences are shaped by the historical efforts of the majority Anglo population to exclude racial and ethnic minorities from an equal education (Frankenberg 2003; Martinez-Ebers et al. 2000). The remnants of these past efforts, both formal and informal, are part of what constrain minority groups in the present from directly implementing their policy choices.

A consistent pattern of unequal and ethnically biased educational outcomes emerges from this wide array of causal factors. Latino students under-perform when compared to non-Latinos using every conceivable measure of educational success, including: graduation rates (Greene 2002; National Center for Education Statistics (NCES) 2004), dropout rates (Greene and Winters 2002; Lockwood and Secada 1999; Secada et al. 1998; Velez 1989), gifted and talented placement (Meier and Stewart 1991, 170-171), performance on standardized tests (NCES 2004; Martinez-Ebers et al. 2000; Meier and Stewart 1991; Texas Education Agency (TEA) 2004), and college prep and college graduation (Horn et al. 2002; Fry 2002). The historical consistency of these differences lead both policy makers and parents to conclude that policy change is needed to achieve a just remedy, but groups disagree on both the problems themselves as well as what solutions will work to resolve them.

Given the severity of the difficulties faced by Latino families in the education system, and the divergent factors that produce these outcomes, it is not surprising to find that Latinos have attitudes that differ considerably from those of Anglos (see Figure 1.3). Latinos are significantly more likely than Anglos to think that schools are too quick to label Latino children as having behavior or learning problems (Pew 2004b). Latinos also differ from Anglos in that they believe Anglo teachers' lack of cultural perspective is a "major" impediment to Latino student success (Pew 2004b, 36). Lastly, Latinos are much more likely than Anglos to think that racial stereotypes and low expectations from principals and teachers are "major" obstacles to Latino student achievement (Pew 2004b). Perceptions of solutions in the education system, under these circumstances, begin to resemble the problems themselves; they are split along both racial and ethnic lines.

Public organizations are central to political science. Political scientists are concerned with, among other things, the boundaries of these organizations, how they differ from private organizations, how these public entities change over time, and who gets to set the rules of engagement (create institutions). The research presented here is framed within this tradition. It is an account of what happens to a particular type of public organization when it encounters new clientele and new constituents (new "masters" in democratic parlance). I use multiple theoretical perspectives to inform my hypothesis tests, but the tests themselves are clearly and firmly about organizations and groups, not about individuals. This is a critical point. I take pains to discuss what actually happens inside the public organization when these new groups enter the system,

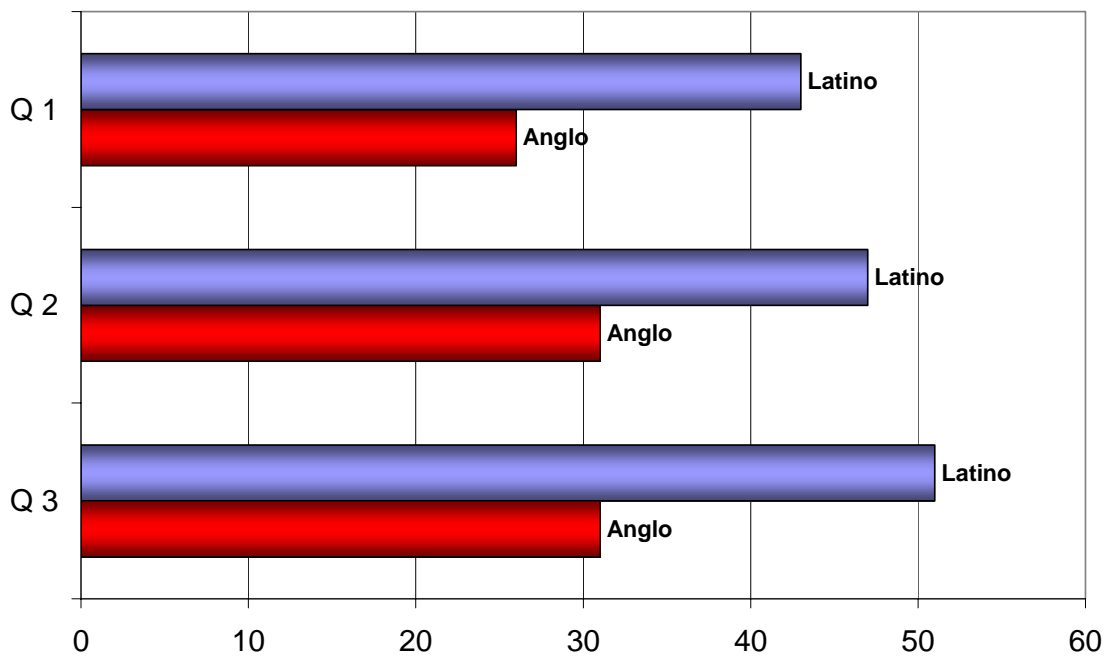
but in the end, the empirical evidence speaks (only) to differential group inputs, aggregate representational effects, and organizational outputs and outcomes. Other research in this area provides evidence concerning what goes on inside the public organization, and I use this to motivate the present study; but it is not my main intent to add to the theoretical level of this debate.

The dissertation is, consequently, a story about racial and ethnic groups with competing policy preferences, and what happens when those who are relatively new to the political arena and have growing political clout, interact with the institutions created by those who have historically controlled the political system. This is a story about the addition of new problems and new preferences to a relatively stable policy system. The political dynamic of a stable system adjusting to new preferences is a defining characteristic of modern representative democracies, thus turning a little story about what happens over time when Latinos interact with the education system into a story that is generalizable to democratic theory as a whole.

Political Causal Explanations

The research presented here is not focused on finding the complete causal explanation for the problems discussed above. There are a multitude of causal factors for education outcomes. Like other public policy areas, education is produced jointly by government and private actors; each contributes to the success and failure of the eventual outcome. In the case of education, we can say that the outcome (usually measured in

Figure 1.3: Latino and Anglo Education Attitudes



Percentage of respondents (N=993) who say each of the following is a major reason why Latino students are not doing as well as white students.

Question 1: Because of racial stereotypes, teachers and principals have lower expectations for Latino students.

Question 2: Too many white teachers don't know how to deal with Latino kids because they come from different cultures.

Question 3: The school is too quick to label Latino kids as having behavior or learning problems

Source: Pew Hispanic Center / Kaiser Family Foundation (2004b)

terms of student performance), comes about through the combined efforts of the students, their cohorts, their family, the local, state, and national economies, teachers, the school, the district, the state, and the federal government. At any one time, groups involved in the education process blame or praise the efforts of one or more of these actors for their role in producing the eventual outcomes. For example, students are often characterized as being lazy and disruptive, teachers are portrayed as indifferent to the needs of students and parents, parents are non-cooperative or non-supportive of the local school, the school board makes political hiring decisions or makes unreasonable curriculum choices, and the state and federal governments do not provide enough resources for districts and schools to do their jobs well.

Consequently, this is not a search for the smoking gun that prevents Latinos from producing at the levels of their Anglo counterparts. Rather, *it is a study that uses the condition of U.S. Latinos in the area of education to examine a general theory of minority interaction with majority institutions*. More specifically, I examine the *political* institutions that affect minority representation at different levels of government in the area of education, how this representation changes over time, and how it affects minority student outcomes. To this end, it is critical to take into account some of the other “non-political” factors that may affect Latino student outcomes, but they will not be the central focus of the study. In fact, to the extent that these other factors can be controlled, it is possible to measure the magnitude of the impact that political variables have on the policy process. Further, it is prudent to look at the way these political variables have

changed over time, as both causes and effects of the growing Latino access to public bargaining.

The political institutions of interest include the local education legislature and bureaucracy. In the U.S. education system, the school district is the entity to which policy creation and implementation has largely been delegated.³ Because I am interested in *political* dynamics, this examination occurs at the district level (the public organization), where political institutions and current coalitions interact. The legislative body of the school district is the school board, (almost always) elected officials whose job is to set policy goals for the schools in the district, hire and fire administrators (and to an extent teachers), discuss and institute curriculum, set and maintain a budget, and oversee the implementation of district and state policy. School board members are representatives in the same respect that state and federal legislators are representatives, meaning they are held accountable to their constituency through timely elections. Much of the project is spent examining the crucial role of Latino representation on the school board, and the method by which these officials are elected, to account for some of the outcome variability we observe in student performance.

The second type of political actor I examine is the bureaucrat, a public agent who is appointed, not elected. In the education system these actors consist of superintendents, principals, teachers, counselors, janitors, and other individuals hired by the district. Bureaucrats are accountable, directly or indirectly, to the school board,

³ The recent “No Child Left Behind” Act is in the process of changing the chain of delegation in U.S. public education. In effect, the NCLB takes over accountability and output measurement, giving the federal government a large amount of control over school district policy. I will not discuss the NCLB here, but it is a fertile area of research for political control scholars.

characterizing a relationship that is typically labeled a “principal-agent” relationship (Brehm and Gates 1997; Calvert et al. 1989; Moe 1984). That is, some amount of control and discretion over education policy has been delegated to bureaucratic agents by elected principals. As I discuss in Chapter 2, legislators typically choose to delegate responsibility to public agents in order to solve transaction-cost problems (Moe 1995), however, this delegation presents a multitude of new dilemmas for the principal. The process of delegating discretion and control to employees might give these non-elected actors political power, and defines the bureaucrat’s role in the policy process.

I also briefly explore the role of the judiciary in the education process. The nature of this particular project prohibits a full account of the courts’ influence on policy change; however it is important to note the legal constraints under which the other political actors operate. The judiciary serves a multitude of purposes, not the least of which is as an advocate for minority interests in the face of majority legislative and bureaucratic bias. In the analyses that follow, I account for the courts to the extent that they influence a change in the rules of the game or a change in the behavior of the actors over time.

The Politics of Education

In order to separate the political effects of a Latino presence on the education policy system properly, I constrain most of the analyses to the state of Texas over the ten-year period 1992 to 2002. This has a number of advantages over a cross-state analysis alone. First, I control for the impact of judicial variability across space, while

retaining the prospect of examining this variability across time within the state. Also, Texas has historically been home to a large Latino population that became increasingly politically active during the 1990's. Thirdly, Texas has a variety of electoral (institutional) arrangements operating in the education system, and a large number of political units (1000+ school districts) with which to conduct pooled cross-sectional analyses. Lastly, a singular focus on one state across time allows me to provide a more complete description of the context in which the political processes of interest take place.

Analyzing only one state however, does not provide leverage on important questions of generalizability. If the relationships are only observed in the Texas school system, then it is likely that the findings are spurious, and what they reveal about the general underlying causal process is incomplete. To supplement these findings I take a look at approximately 1,300 of the largest school districts in the United States and test for similar effects to those found in Texas. This supplementary evidence provides further support for the appropriateness of the theoretical story in a variety of state contexts. The combination of the detailed story in Texas over time, with the national evidence across space creates a great deal of support for a theory of institutional constraints and minority representation in the legislature and the bureaucracy.

The institutions under investigation include the formal rules used to select local school board members. Nationally, the three most widely used school board selection types are appointment, at-large election, and single member district election. In Texas the appointment process is eschewed, and almost every district uses at-large elections or

single-member district elections. I will demonstrate how the apparently modest differences between these electoral types can have consistently strong impacts on the amount of Latino representation on the school board, and how the electoral type continues to have substantive implications for minorities throughout the policy process. Next, I turn the question around, and ask how these electoral structures developed in Texas, and to what extent Latino bureaucrats affect the outcomes we normally attribute to legislative representation. This second question is a contentious one in political science, with some scholars arguing that bureaucrats have little to no influence on policy outcomes outside of that which is delegated to them by elected officials. Many bureaucracy scholars, however, believe that appointed agents often use their delegated discretion to move policy away from legislative intent, in a direction that benefits or hinders particular clientele. The theory and tests developed in this paper go a long way towards sorting out some of these issues over time.

Different Types of Political Representation

Preference representation is the key goal of democratic governments (Dahl 1971, 1-16). But what exactly do scholars mean when we talk about representation? Who is responsible for representation – the legislature, the courts, or the bureaucracy? In terms of majority and minority populations, who is accountable to racial and ethnic minorities? Scholars have grappled with these concepts for centuries but we have few answers, not only in normative terms, but also within a positive framework (Dunn 1999, 316; Hutchings and Valentino 2004). The labyrinth of the modern separated powers system,

in conjunction with a changing racial and ethnic demographic in the United States leaves the question of representation open to interpretation.

This study is focused on the representation of Latino policy preferences in the local legislature and bureaucracy. As with many policy areas, a mix of elected and unelected officials “represent” the interests of students and parents. Elections hold school board members accountable to the public (Manin et al. 1999), but this allows untrained, uninformed citizens to control local policy. Relative to district administrators and teachers, many of whom have been in the system ten to twenty years, the average school board member is at a distinct disadvantage (Chubb and Moe 1990, Dunn 1999). Bureaucrats have experience, expertise, information advantages, and most importantly discretion (Fredrickson and Smith 2003; Moe 1995). The decentralized nature of the U.S. education system allows individuals who have little experience with education to win legitimate control over these bureaucratic “experts.”

The authors who study the “political control of the bureaucracy,” have a view of the bureaucracy grounded in the law. That is to say, they recognize the *constitutional* and *representative* parts of our system that many others forget, and assume that administrative power flows from elected officials to public agencies. They argue that the people are represented by elected officials, not by the bureaucracy (Calvert et al. 1989; Fiorina 1981; McCubbins 1991;).

The most robust line of political control theory and analysis comes from the legislative and presidential literature. In general, the authors of the most recent scholarship in this area share a set of assumptions about political actors and their

relationship with the bureaucracy: 1) People are intendedly rational and are interested in satisficing their preferences, 2) Politicians are interested in getting re-elected (satisficing votes) and thus align their preferences with interests that will assist them in doing so, and 3) the legislative-bureaucracy relationship can be modeled as a principal-agent relationship respectively (and importantly, not the other way around); this is the relationship the Constitution sets up. The third assumption is the key to the normative bent this group of authors share. Borrowing from earlier work in organizational theory and decision theory (Barnard 1938; Cyert and March 1987; Simon 1947; Williamson 1995), agency theory models the legislative-administrative relationship as a hierarchal contract between two actors (Fredrickson and Smith 2003, 37; Wood and Waterman 1994).

This differentiates the more recent work from the earlier politics/administration dichotomy because it acknowledges the preferences, goals and power of the bureaucrat. The public agent has its own values, its unique expertise, its ability to signal, and its preference to shirk (Brehm and Gates 1997) that make it difficult for the legal principal to simply give away broad discretion (Calvert et al. 1989; Epstein and O'Halloran 1999; McCubbins et al. 1987; McCubbins 1991; Moe 1995; Wood and Waterman 1994). Because of this, principals design either ex-post or ex-ante constraints that will diminish bureaucratic drift (indeed, they must decide whether to delegate authority to the agent in the first place). To this end, Bendor and Moe (1985, 772) define the role of the bureaucracy in a democracy by concluding "The power of bureaus to get what they want has been exaggerated." Other authors of this genre would similarly argue that whatever

decision-making ability an agency appears to have has been “abdicated” (Kiewet and McCubbins 1991 as quoted in Whittington and Carpenter 2003, 496), given away under tight restraints that largely prevent true bureaucratic “discretion.”

The political relationship in this policy area is filled with tension. Teachers and administrators who have spent their lives developing expertise about what is good for students, come face to face with less qualified (but more “legitimate”) political masters (the public, represented by school boards). When a new racial group enters the system with different needs and preferences than those of the majority, the decision about what is best for these students is often left up to majority representatives (either in the legislature or the bureaucracy). For Latinos, this has historically spelled disaster. Most of the evidence concerning discrimination against Latino students in the areas of ability tracking, discipline, college preparation, testing, bilingual education, and special education assignment has come at the hands of Anglo majority school boards, administrators, and teachers (Martinez-Ebers et al. 2000; Meier and Stewart 1991). Because of this, many Latino parents and voters with policy preferences that concentrate on the education gap between Latinos and other racial groups, use race and ethnicity as a voting cue to select representatives that will deliver resources to their minority constituency (Bullock 1984; Eisinger 1980).

The legislature and the bureaucracy offer two different kinds of representation. Wood and Waterman (1994) point out that the longer tenure of bureaucratic agents (along with their other organizational advantages) allows them to ride out policy churn (Hess 1999) and legislative fads. Their discretion can oftentimes be used to buffer the

public system from legislative shocks (Wood and Waterman 1994, 127). In this sense, the bureaucracy can become an advocate for minority groups that are not being adequately represented by the legislature. Latinos who are being ignored by elected district officials (whose constituency is often the median, majority voter) may find their policy preferences represented by Latino administrators and teachers in the school. An increasing presence of Latino teachers and administrators in a school district can move policy towards the needs of a minority population before formal policy change occurs at the legislative level, necessitating the use of outcomes instead of formal policy change. Latino teachers often discipline and track Latino students differently than Anglo teachers (Meier and Stewart 1991, 16-18), and Latino bureaucrats can be advocates for policy change in their interaction with the school board, forcing elected officials to choose between the desires of the voting majority and the expertise of district employees.

An alternative perspective suggests that the bureaucracy can be *less* representative of minority populations than locally elected school boards. Oftentimes, public organizations move slowly in terms of “responsiveness” because they are not held accountable to the public through elections (Dahl 1971; Manin et al. 1999). These two facets of representation can be mapped onto the bureaucratic and legislative aspects of government. As I argued above, many times the bureaucracy responds to the needs of clientele before the legislature can. However, because legislators are accountable to the public every few years through elections, it is also likely that legislative representation may precede a bureaucratic response. Latino legislators may enter the policy process and push for more bilingual education programs, a greater emphasis on the recruitment

of Latino teachers and administrators, and even advocate the hiring of a Latino superintendent to lead the district in a new direction. Under this scenario, the legislature is more responsive because of its accountability to the public (and perhaps because of electoral mechanisms that favor the election of minority candidates). These different conceptions of representation mirror the discussion between political control and bureaucratic representation scholars

Research Design

The empirical design revolves around the implications of public organizational change in the face of new minority preferences. I focus on *local* organizational change because this is where minorities are most likely to have substantial purchase with their limited resources. The hypothesis tests can be separated into two general sections that reflect their theoretical foci. The first set of hypotheses address organizational change from a political control, top-down perspective. I assess this theoretical frame by looking at the election of Latino legislators in different institutional environments: at-large and single member district (“ward”) elections. Some general hypotheses from this section include the following:

H₁: In Latino minority districts (where Latinos are less than 50% of the population), as the Latino population increases, districts using ward election rules will be associated with higher levels of Latino legislative representation than those using at-large election rules, all else equal.

H₂: In Latino minority districts, as Latino legislative representation increases, districts using ward election rules will be associated with a higher percentage of Latino administrative appointments than those using at-large election rules, all else equal.

H₃: In Latino majority districts (where Latinos are 50% or more of the population), as the Latino population increases, there is no difference in the levels of Latino legislative representation due to election rules, all else equal.

H₄: In Latino majority districts, as Latino legislative representation increases, there is no difference in the percentage of Latino administrators due to election rules, all else equal.

To test the top-down model of policy influence, I present evidence using both a national and single-state sample of school districts and their school boards. The national sample is a cross-section of over 1,300 of the largest school districts in the U.S. These districts have an enrollment of at least 5,000 students and were surveyed in (2001) about the ethnic and racial characteristics of their school board, administrators, teachers, and students. The single-state sample is also a cross-section, but includes all districts in the state of Texas that do not have appointed boards (N=1041), and includes the same information about the organization's legislative, bureaucratic, and clientele characteristics. Both samples are supplemented with census data to control for other factors in the policy process. The obvious advantage of examining two different samples (gathered using different surveys) is one of generalizability. By demonstrating the same relationship between electoral structure, minority legislative representation, and bureaucratic outcomes in two different samples, I bolster the case for a top-down, institutional/representational causal process. I interact the electoral system with Latino population and representation levels (in different models) to explicitly examine the effect of electoral rules on organizational outcomes. This process will be described in greater detail in Chapter 4.

I examine the bottom-up, bureaucratic representation story in the second section

of the empirical chapters. This section is motivated by a simple question, “What is the role of the minority bureaucrat in producing organizational change (i.e. institutional and outcome change)?” That is, perhaps the Latino bureaucrat enters the policy process first and influences the election of Latino legislators, or even the electoral rules by which they are chosen. Beyond this, perhaps street level Latino bureaucrats (teachers in this case) can also influence the appointment of Latino administrators, and public outcomes directly in the classroom.

To examine these endogenous causal issues, I move beyond the cross sectional samples and focus on school districts in Texas over time. The 1990’s was a crucial decade for Latinos in Texas for a number of reasons. One of the most important reasons Latinos became politically successful during this period is the interpretation of the Voting Rights Act by the courts in a way that favored electoral changes at the local level. Coupled with the 1990 census, court rulings, and the threat of lawsuits from Latino organizations forced many electoral districts to change the way their board members were selected. Therefore, this time period (1993-2001) is of particular interest to the causal analysis of minority representation.

The cross sectional analyses speak to associations between variables, but they cannot directly answer questions about causality between such closely-related variables (Latino population figures and their counterparts in the legislature and the bureaucracy). To analyze the causal process more thoroughly (and this gets to the heart of the tension between organizational change from above or from below), I examine all Texas school districts during the period 1993-2001, using the same variables from the cross-sectional

analyses. The dependent variables from the cross-sectional analyses become independent variables, as I attempt to untangle the endogenous relationships between legislative and bureaucratic actors. Because the dataset covers only ten years and contains over 1,000 units (and because of the nature of each type of representational change), I cannot use the tools that scholars typically apply to these kinds of data (e.g. VAR and structural equation modeling). Instead, I examine sub-samples of the data across time, and supplement this with a pooled analysis to tease out which type of representatives (legislative or bureaucratic) causes the other, and which factors contribute to institutional change. Thus, some general hypotheses I test in this section include:

H₅: As the percentage of Latino administrators increases in ward districts, the likelihood of Latino legislative representation increases at a greater rate than in at-large districts, all else equal.

H₆: As the percentage of Latino teachers increases in ward districts, the likelihood of Latino legislative representation increases at a greater rate than in at-large districts, all else equal.

H₇: Bureaucratic representation (at both the street and managerial levels) is a necessary condition for institutional change (electoral structural change), and generally occurs before Latino legislative representation, all else equal.

Outline of the Project

In Chapter two I return to the more specific political literature of interest. The chapter is divided into three broad sections. The first section analyzes the two main macro-theories used to frame minority politics generally, and Latino politics specifically. I discuss how both pluralist and non-pluralist perspectives offer leverage on

minority/majority politics, but that each is singularly deficient for a full understanding of the problem. I argue that mainstream political theories of the policy process are sufficient to guide minority politics research, moving the unique historical and cultural characteristics of particular minority groups away from the principal discussion of their political behavior. Concurrently, I argue that minority politics should be a fundamental area of interest for democratic theorists, institutional change scholars, and policy change researchers. Although minorities are not necessarily unique among U.S. political actors, their influence on the policy process is crucial, and unfortunately overlooked by many American scholars.

The next two sections discuss the apparent tensions between the political control and the bureaucratic representation models of politics. These two perspectives reflect other issues in political science, specifically those that address different types of “representation.” What do we mean when we speak of representation: the electoral process, the legislative process, or the bureaucracy and the judicial system? Although these theories typically speak to individual preferences and behavior, I argue that they provide crucial insight into organizational processes and outcomes. Political control models minimize the ability of bureaucrats to influence policy outputs and outcomes, instead attributing causation to the rules of the game and the authority of elected officials. I explore whether certain public organizations are open to group influence at the bureaucratic level, and add a new perspective to the debate by looking at how a minority presence in the bureaucracy over time can change institutions and influence the look of local legislative bodies.

Chapter three is a descriptive chapter of the political institutions of the U.S. education system and its relevance as an area of interest for students of bureaucratic representation. The organization of the U.S. education system is distinguished by its decentralization (compared to other developed democracies) where minorities have greater access to power (through local school districts) than they do in other policy areas. I discuss how the current system has continued to leave Latinos and Blacks lagging behind their Anglo counterparts on all indicators of achievement. I portray this in historical terms, showing that institutions constrain policy victories and prevent major gains on issues minority groups care about. I also discuss the success of minority coalitions over time, as they have navigated the political system to find access points where policy change can take place. In Texas, these demographic shifts and their requisite representational changes have produced legislative, bureaucratic, judicial, and policy outcome changes that speak to the power, and limitations, of minority influence under majority constraints.

A major part of the chapter is the discussion of judicial constraints, particularly the decisions after the 1965 Voting Rights Act (VRA), which govern electoral reform in Texas. I describe how these rulings provided an important bargaining tool for Latinos in Texas looking for a way to increase legislative representation, especially after the 1990 census. The story of Latinos in the Texas school system during this decade provides the specific framework for the empirical analyses in the chapters that follow.

Chapter four begins by recapitulating the theoretical discussion from chapter two and developing specific hypotheses for the national and Texas school districts described

in chapter three. The chapter might best be described as the “top-down” chapter. The hypotheses and empirical tests speak to the political control mechanisms, electoral structures and legislative representation, which affect the hiring of Latino teachers and administrators at the district level (a substantive policy outcome). I demonstrate how electoral differences between at-large and ward systems affect descriptive and substantive representation of Latino groups, using a cross-sectional design to examine both a national and single state sample of school districts. The single state sample allows for a look at districts where Latinos are a numerical minority and where they make up a majority of the population separately. Congruent with a theory of *minority* politics, I find that Latino majority status reverses the effect of electoral variation on representation for this group. The chapter provides evidence of top-down political control, showing how the rules of the game can have impacts that reach beyond the color of the legislative body.

Chapter five is the key component of the project. Perhaps there is an alternative causal process at work that cannot be observed using the cross-sectional design presented in chapter four. Here I use a pooled cross-section of Texas school districts for the ten year period 1993-2001 to look at the role of Latino bureaucrats in the electoral process, policy change, and institutional change (specifically, the move from at-large to ward electoral structures). After presenting some preliminary causal tests for whether Latino bureaucrats or Latino legislators are endogenously related, or whether one group is predominantly responsible for the presence of the other (whether the process is top-

down or bottom-up), I look specifically at districts that underwent electoral change during the 1990's to determine the causal mechanism for institutional change.

While chapter four examines a static model of political control, chapter five presents a dynamic story of the influence of minorities on the public organization. It presents an examination of changes in bureaucratic and legislative representation over time and suggests a much more nuanced causal process. Institutions, at times, are altered by “agents” and not “principals.” Oftentimes, bureaucrats select their own legislators in order to control their work environment. Many times, bureaucratic agents turn their discretion (over time) into *autonomy*, directly challenging the political control literature. I end the chapter with a discussion of what this kind of bureaucratic representation means for minorities in a liberal democracy.

I conclude the project by reiterating the main themes and stressing the importance of the work for political scientists in general, not just policy scholars. I discuss different types of representation, and how these particular findings may force political control scholars to rethink their static models of institutional influence. In contrast to this, I discuss why institutions remain so important to understanding the outcomes of politics, specifically for minority groups. There is a reason political control dominates discussions of the bureaucracy, because for the most part institutions and the electoral/legislative process *do* control the public agency. But there are times when this is not the case, and the reasons for this pertain to the type of policy under observation, the level of government, and the salience of the issue to minority groups (shaped by unique historical and cultural factors). I provide a general theory of minority/majority

political conflict, of use to those studying other policy areas (crime, health care, and welfare policies for example) and those studying various institutional arrangements in other nations.

CHAPTER II

A THEORY OF MINORITY POLITICS

The study of minority politics continues to cause theoretical problems for political scientists because of the difficult task of trying to fit a unique political/cultural/historical experience within general policy theory. For example, how does the Latino political experience differ from that of African-Americans, Italian Americans, or non-ethnic Anglos? Historically, we know that it does, but do these differences necessitate a separate branch of democratic theory for each minority group? Or instead, should political scientists simply describe the political behavior of these groups distinctively, and explain the consequences of their activity post hoc?

On its own, a descriptive and atheoretical approach does little to advance general political science, so we should not expect it to benefit the sub-field of minority politics either. Conversely, it is difficult to imagine that the political experiences of minority groups in the U.S. can be completely captured by a democratic theory that disputes their perspective as unique or theoretically interesting. Further, it is unlikely that the minority political experience could have no effect on political theory more generally. Put plainly, *“What is the relevance of minority politics to political science?”*

A lively debate continues about the proper theoretical perspective with which to study minority politics, and Latino politics more specifically (Browning et al. 1984; Dahl 1961; Dawson and Cohen 2002; De la Garza 2004; Fuchs 1990; Hero 1992; Hutchings and Valentino 2004; Pinderhughes 1987; Walton et al. 1995). During the 1980's and 1990's, Latino scholars began to search for the most appropriate lens with

which to examine the role of minorities in the American political system (Dawson and Cohen 2002; De la Garza 2004; Pachon and DeSipio 1992; Uhlaner et al. 1989; Uhlaner and Garcia 2002). This discussion is of the utmost importance to both Latino scholars and political scientists in general because of its potential to make the study of a specific group (or groups) relevant to all political scientists and policy makers, not just the group members themselves.

This chapter makes a number of specific arguments about the study of Latino politics and its role in preparing the ground for the empirical tests conducted within. But the general point is singular, and possibly more important than the detailed discussions of bureaucratic and representation theory. The overarching theme of this project is that the study of minority politics is essential to the study of democratic politics. Democratic theory must be able to predict and explain the influence that minority interests have on majoritarian politics, and must be able to account for the constraints faced by minority interests as they press for policy change. Thus, the study of Latino politics (as minority politics) becomes an integral part of democratic theory, on par with the study of the relationship between the legislature and the bureaucracy, voting behavior, the judiciary, or any other sub-field of the discipline.

I consider theory and tests that place the study of minority populations within broad political science, but I use the role of minority interests to inform and amend mainstream democratic theory. This is a tricky proposition, but it is critical to the project. I argue that the study of democratic politics is incomplete without accounting for the influence of new minority interests, and that minority politics must be explored

using generalizable, established political theory. The study of Latino politics, if undertaken with an eye towards general political theory, has the potential to inform the areas of policy change, institutionalism, implementation, representation, comparative politics, democratic theory, and many others.

There are a variety of ways in which minority groups can achieve representation. This chapter covers a substantial amount of theoretical ground, connecting some general theories of minority influence on a liberal-democratic system with more recent work that focuses specifically on the relationship between legislative representation and bureaucratic representation. I begin to develop a story of when and where minority groups might find political leverage in a majority system, and how they have taken advantage of these opportunities over time.

How to Examine the “Dilemma” of Race and Ethnicity: Disagreement over Theory

Political scientists have generally cast the study of minority politics using pluralist or non-pluralist theoretical frames.⁴ Work that pushes the uniqueness of racial and ethnic factors in the American political process fall into the latter category (Garcia 2003; Hero 1992; Hero 2003; Munoz 1991; Myrdal 1944; Pinderhughes 1987; Regalado 1997; Stokes 2003), while research that downplays the role of these factors (although not ignoring them completely) is typically suggestive of the former perspective (Browning et

⁴ Throughout the dissertation, I use the terms “pluralist / non-pluralist” and “mainstream / niche” interchangeably. This is done to highlight the close relationship between seemingly disparate theoretical models. Pluralist scholars want to cast minority politics in mainstream theoretical terms, while non-pluralist advocates use niche Latino or Black explanations to explain these groups’ political behavior (Pinderhughes 1987; Walton et al. 1995). This is not always the case, but it is generally true, and it serves as a useful heuristic for the theoretical argument I make in this project.

al. 1984; Dahl 1961; De la Garza 2004; Fuchs 1990; Thernstrom and Thernstrom 1997; Uhlaner et al. 1989; Wolfinger 1974). These meta-theoretical frames are useful for delineating a broad difference in approaches to the question of race and ethnicity in American politics, but they obscure the progress of more useful mid-range theory building and empirical work.⁵

The pluralist/non-pluralist split is useful however because it is characteristic of a number of other mid-level debates in the literature. In fact, I argue, it is with these other mid-range theories where progress can be made on questions critical to minority politics. I demonstrate that the best theoretical frame, and the one I use in this project, combines features of the pluralist and non-pluralist traditions; the reason there is such discord over which of these two theories is the most useful is because both contain important insights. In culling the vital pieces from both perspectives, I show that their differences can be mapped onto the following mid-level discussions:

- 1) Descriptive and substantive representation
- 2) Political control and bureaucratic representation
- 3) Racial gerrymandering

⁵ Raymond Wolfinger argues that the pluralist frame is of little use to political scientists because “it occupies a limited and dull segment of the subject matter of political science. Few interesting and controversial subjects seem to be subsumed under this rubric, and knowing whether a particular political scientist is a ‘pluralist’ or an ‘elitist’ does not help classify him with respect to such issues” (1974, 10). Before most Latino scholarship is even conceived, one of the leading ethnic politics scholars puts the search for a separate meta-theory to rest. In fact, Wolfinger refuses to be described as a pluralist, elitist or a group theorist, leaving one to conclude that his understanding of ethnic politics lies outside of any conventional theoretical frame (1974, 7-12). Instead of entering into this debate in search of a general theory of minority politics, I take Wolfinger’s advice and dispose of the pluralist/elite dichotomy to focus instead on how an integrated theory of mainstream and niche perspectives can rescue minority political study from the margins.

After evaluating the usefulness of these frames to the study of minority politics, I reconstruct the broad pluralist/non-pluralist approach into a more useful neo-institutionalist perspective. Using this premise, the level of analysis becomes the public organization, the institutions include the electoral structure, the legislative/bureaucratic arrangement, and statutes protecting minority voting rights. Thus, change comes from demographic (preference) shifts, both in the population and the legislative-bureaucratic relationship. The goal is to offer a theory of minority politics that accepts and uses the assumptions and approaches of mainstream political science (the pluralist case), while at the same time, incorporates the unique context and history of minority preferences (the non-pluralist case).

Broad Strokes: Why Pluralism Fails (and Succeeds)

Pluralist approaches to minority politics have typically downplayed the role of racial and ethnic factors in the policy process. They argue that much of what is considered racial politics is actually class politics, urban politics, or partisan politics (Browning et al. 1984; De la Garza 2004; Fuchs 1990; Huckfeldt 1983; Wolfinger 1965; Wolfinger 1974). This perspective is best summarized by Rodolfo De la Garza's (2004, 116) concluding statements from his recent literature survey:

Is pluralism the best model for analyzing Latino Politics? Twenty years ago I would have said no. Today, based on my understanding of the material I have read, I respond with a qualified yes. This is not to say that anti-Hispanic racism no longer exists; instead, as a result of long and bitter struggles, Latinos are now a part of the mainstream and have attained the clout to influence the system from within as well as from without.

De la Garza concludes this statement with the qualification that if “immigrant incorporation” is not handled appropriately, Latino politics could well retreat to an Anglo/elite-dominated model. Two things are important here. First, De la Garza suggests that the political situation for Latinos is dynamic and tenuous, that at one time it could have been described as non-pluralist, and that it could yet change back based on further uncontrolled demographic shifts. Second, he states that the presence of racism against Latinos does not preclude a pluralist model. Both of these arguments characterize the debate between the opposing models, and should be explored.

The first argument is the most prominent in the pluralist literature. That is, formal, racist, and elitist barriers to Latino political participation may have existed in the past, but because of the civil rights successes of Blacks and Latinos (De la Garza 2004; Fuchs 1990; Thernstrom and Thernstrom 1997), or shifts in attitudes (Merelman 1994; Carmines and Stimson 1982), or cultural factors helped them prosper anyway (Fraga 1997; Fuchs 1990, 257-271; Garcia 2003), these barriers are no longer primary to the Latino political experience. Therefore, pluralist approaches provide other causal mechanisms to explain policy outputs and outcomes that favor Anglo populations. It is important then to take a closer look at some of this influential research, to see if the approach has informed the discipline more generally, or if it has instead clouded the picture.

The second of De la Garza’s suggestions, that political racism against Latinos does not preclude a pluralist perspective, is important because it sets the evidentiary bar higher for those who disagree with the pluralist frame. In order to turn aside the pluralist

argument, one cannot simply show a pattern of unequal policy outcomes or direct evidence of institutional racism. Instead, one must demonstrate that these types of political obstacles cannot be overcome by Latino mobilization, representation, and other forms of political participation. To be useful, a non-pluralist theory of racial and ethnic politics must show continued policy discrimination over time in spite of equal political opportunity, a lack of formal barriers to the policy process, and growing Latino engagement in the political system. As I discuss later, these are precisely the arguments made by scholars who do not subscribe to De la Garza's concluding comments. For them, Latinos must undertake a variety of non-traditional political strategies and rely on specific remedial solutions to attain a semblance of policy responsiveness.

One of the most influential works in the pluralist tradition of racial and ethnic politics is the Browning, Marshall, and Tabb study of Blacks and Latinos in urban settings, *Protest is Not Enough* (1984). As the title suggests, the authors claim that traditional explanations of Black and Latino political progress (e.g. protest and electoral representation) are not sufficient to explain policy responsiveness in an urban environment. Instead, they argue that "political incorporation" occurs when Blacks and Latinos mobilize, form broad liberal coalitions with Anglos, control the mayor's office, and work to replace candidates opposed to their policies (Browning et al. 1984). To be clear, the authors stipulate that these activities must take place in a political environment "where conditions are relatively favorable" (249), but their main thesis is that political influence is available to those "with the gumption, the persistence, and the skill to pursue it long enough" (Gamson 1975, 3 as quoted in Browning et al. 1984, 249).

Browning et al.'s innovation, however, is to look at multiple indicators of minority representation and label it "incorporation" (24-27). They argue that control of the mayor's office and cooperation within a liberal majority coalition will further improve the situation for urban minorities, rather than holding just a seat or two on the city council (27-31). This is, of course, true. Unfortunately, the authors' explanation for how minorities achieve these multiple representations ignores institutional change and non-pluralist contributions to the process. They instead focus on liberal-Anglo-Latino coalitions that formed in some cities and not others (75-135). In short, the authors tell a story of *urban* politics, with a Latino and Black flavor, compelling the reader to recognize the inevitability of policy responsiveness once these groups understand how to play politics correctly.

Rodney Hero (1991) notes the deficiencies of this argument in a number of ways. First, the very existence of a study of Black and Latino politics begs the question of whether there is something unique about the experiences of these groups that go beyond simple pluralist politics (Hero 1991, 3). Second, Hero notes that regardless of the policy outcome, Blacks and Latinos remain severely underrepresented, continue to underperform, and face substantial *un*-incorporation (7-8). Thus, even though there is variation in the levels of representation and outcomes in different urban environments, Black and Latino group members achieve satisfactory success in none of them, suggesting a more pessimistic view of the process (7-8). Thirdly, and most importantly, Browning et al. do not address the institutional factors involved in the process of turning minority demand into representation, and then into policy (Hero 1991, 4-6; see also Hero

1992). This last complaint is the most damning, and it is the one Hero takes on in his book *Latinos and the U.S. Political System: Two-Tiered Pluralism* (1992). This attack is also the one I tackle most directly in the research presented here.

Hero's title can be interpreted as a jab at Browning et al.'s study, and could easily be re-worded *Pluralism is not Enough*. His "two-tiered pluralism" is an amalgamation of pluralist and non-pluralist theories.

Basically, two-tiered pluralism describes a situation in which there is formal legal equality on the one hand, and simultaneously, actual practice that undercuts equality for most members of minority groups, even if some individuals register significant achievements (Stone 1990; Hochschild 1984, 169). In other words, certain basic equalities and rights apply to all Americans, but because of the distinctive historical experiences and structural features of some groups, and because cultural or racial deficiencies are alleged to exist, (Barrera 1979), equality is largely formal or procedural, not substantive. (Hero 1992, 189-190).

To be clear, Hero is not simply saying (as others do) that time and further Latino mobilization will repair whatever political ailments remain. If this were the case, simple pluralist models would suffice. His project is an indictment of research like Browning et al.'s which does not look at the remedial or quasi-legitimate political solutions that have been so critical to minority political success. Secondly, Hero's definition notes that even after fixing all of the structural barriers and institutional constraints, after winning all of the "political" battles, the overwhelming majority of Latinos (and for that matter, Blacks) continue to suffer unequal policy outputs and outcomes.

Thus, the pluralist models fail to explain three main problems in minority politics. First, instead of groups finding a way to engage in politics within the system, minorities may force institutional changes to the system itself, permanently modifying

the structures of democratic states. More clearly, do minorities force democracies to fine-tune their institutions in the face of preference heterogeneity? Does their presence make democracy “better?” Secondly, after engaging in the politics of pluralism, minority groups still find themselves behind in every measure of policy success. Do these results suggest that the pluralistic victories of minority groups are substantively empty gestures? Pluralism is unable to account for the response of majority populations to these minority victories. Third, the pluralist frame, by definition, ignores alternative and un-democratic strategies for access to political influence. Illegitimate political behavior like engaging in violence and implementing policy in a manner that differs from legislative intent is not considered in pluralist models, however, these activities may contribute significantly to minority efforts for policy responsiveness.

Non-pluralist studies, as I am categorizing them, focus on unique Latino cultural or historical characteristics to explain Latino politics. Typical explanations for failed representation or incorporation include continued immigration (Citrin and Highton 2002; Hritzuk and Park 2000; Jones-Correa 1998), the lack of a Latino “identity” (Bickford 1999; 452; De la Garza 1997, Garcia 2003; Stokes 2003), differences in country of origin (Moran 1997), language differences (Schmidt 1991; Schmidt 1997), and elite organizational difficulties (Garcia 2003; Sierra 1991). These explanations are generally used as a response to studies that utilize a pluralist or mainstream framework (Bickford 1999; Hardy-Fanta 1997; Regalado 1997; San Miguel and Valencia 1998). In doing so, the authors of niche Latino explanations insist that this group differs from every other

U.S. minority group, both in the present and from the past, forcing democracy to adjust to dynamics previously unknown.

Although Latino politics brings a variety of new questions to the forefront of democratic theory, it does not exist in isolation. That is, we can still understand minority political behavior using traditional, specifically pluralistic, political theory; it is not, as some scholars suggest, outside the purview of mainstream political science (see Bickford 1999; Lindblom 1982; Moran 1997). The project here is to confront the problem of marginal preferences in a democracy by combining generalizable theory with the nuances and insights provided by the minority dilemma. Above, I explained how minority politics can play a vital role in educating mainstream democratic politics. Next, I describe how the opposite is true, how traditional theories of the policy process *must* be used to frame the study of minorities in a democracy.

The pluralist perspective starts from the assumption that individuals and groups behave (or at least have the opportunity to behave) similarly when placed in the same political environment (Browning et al. 1984; Dahl 1961, 1-8; Fuchs 1990; Wolfinger 1974). Examining Latino politics (and Black politics) from the perspective of *minority* politics maintains this assumption. Instead of situating Latinos within a unique theoretical niche, operating from a minority politics perspective allows us to make prominent use of mainstream political theory in predicting and explaining the phenomena. The minority politics frame emphasizes the situation of being a politically dominated minority, not the particular individuals or groups who occupy that situation.

The majority of political science research concerning racial and ethnic policy questions has focused on group electoral behavior (voting, participation, media presence, etc.). To be certain, it is difficult to study racial and ethnic minorities in Congress, the Presidency, or the judiciary because of small N problems, so the ubiquitous nature of the behavioral questions is understandable. The underlying theoretical split discussed above however, is a defining characteristic of these sub-fields as well.

The rich tradition of racial and ethnic behavioral studies is not crucial to the present study, but its macro-theoretical discussion is useful as an example of how mainstream (pluralist) theories can be applied to the unique problem of the minority experience. Jan Leighley (2001) tries to sort through these multiple theoretical perspectives in her book *Strength in Numbers*. Her project is very similar to this one. In an effort to construct a theory of minority participation, she presents a framework that includes Latinos, Blacks, and Asian minorities, as well as Anglo majorities (2001, 8-10). In doing so, Leighley brings together mainstream behavioral theory, which she claims ignores or marginalizes the minority experience (22-24), with racial/ethnic niche theories that provide no insight into general theories of political behavior (15).

The project is much like that of comparative scholars who attempt to move from models that use country names to ones that use political variables (Przeworski and Teune 1966, 554-555; Przeworski and Teune 1970). Instead of relying on the unique historical experience of Blacks and Latinos to explain their political behavior, Leighley's theory combines a rational choice approach (2001, 15-27), with group relational incentives introduced by Uhlaner (1989), reputation benefits (Chong 1991; Leighley 2001, 18), and

other incentives for minorities to participate politically. Thus, individuals react similarly to incentives, but the incentive structures differ depending on the group to which the individual belongs (Leighley 2001, 9-10). Leighley's models contain the same variables for each group member, but the *group* determines how these variables will interact, the direction of the relationship, and the size of the impact each has on the likelihood of participating.

This is fundamentally different from most other studies of minority behavior, and leads to variations in how the empirical analyses are carried out. Traditional studies of minority voting behavior simply pile on as many relevant (Anglo-majority derived) variables as possible, and then add dummy variables for each race/ethnic group in the sample to look for any leftover variance that can be explained by being "Black" or "Latino" (Leighley 2001; Leighley and Vedlitz 1999, 1101-1102;). Reflecting the different theoretical approach, Leighley's models interact the race of the individual (the group they belong to which helps structure their incentives) with the same variables of interest used to study Anglo majorities (Leighley 2001; Leighley and Vedlitz 1999). The results of these tests tell us how the political incentives of an individual are structured by their position within a racial and ethnic minority, providing much more causal information than simply knowing that Black and Latino citizens behave differently from one another, and differently from Anglos.

Leighley's project demonstrates the salience of developing models of minority political behavior that put quality mainstream work to use. More importantly, she clearly understands the significance of her work to a broader audience. Modeling

minority behavior also teaches us about Anglo (majority) behavior. Understanding how majorities and minorities react to one another in a changing preference environment, within the institutional setting created by the majority, uncovers crucial information about how democracies function over time (Leighley 2001, 145-173).

Using an assortment of works from the minority politics literature, I have shown that the best way to frame the different approaches is through the pluralist/non-pluralist divide. The differences between the two approaches are not subtle, and I argue that they are critical to understanding modern minority politics. While a discussion of a macro-theory of minority politics is premature, scholarship that bridges this divide is beginning to contribute to a broad political science audience; not because it panders to one perspective or the other, but because it provides essential insights to students of majority politics, insights that could not be understood without looking at behavior in the margins.

The next two sections cover the specific theoretical frame for this study. I am interested in institutional, organizational, and policy change in the face of representational, agency, and clientele changes; therefore my concern is the public organization, not the individual or the group. The three most important government players in the public organization are the legislature, the agency, and the courts. In this chapter I cover the first two, and in chapter three I discuss the legal constraints and changes that occurred both prior to, and during, the time period under study. The neo-institutionalist perspective forces the researcher to account for the influence of both the principal and the agent in what a public organization looks like, and how it evolves over

time. Up to this point, I have revealed a placement of mainstream political theory in the service of questions about minority politics, and also, that there are particular lessons only minority phenomena can teach democratic theory. The remainder of this chapter presents a consistent theory that negotiates this apparent contradiction.

Legislative Representation and Legislative Control

Elected representatives make policy in liberal democracies. The overwhelming majority of these elected officials are legislators, but others include mid-level executives, judges, governors, mayors, railroad commissioners, district attorneys, and the President. There is a lively debate in the literature about the exact role of executives and judicial officials in the policy making process, but there is general agreement that they influence every stage of the policy making process to some degree (Segal and Spaeth 1993; Wood and Waterman 1994; Moe 1995; Bertelli and Feldman 2004; Carpenter 2001). The discussion of the role of non-legislative actors in the policy process is typically labeled “political control of the bureaucracy”⁶ (McCubbins and Schwartz 1984; McCubbins et al. 1987), a title that indicates the central role of the legislative body in U.S. politics.

A top-down model of legislative dominance is used by minority politics scholars to explain the lack of policy influence for Blacks and Latinos in the U.S. over time (Swain 1993; Guinier 1994; Kerr and Mladenka 1994; Epstein and O’Halloran 1999; LeVeaux and Garand 2003). The theoretical argument is an example of how mainstream representation theory can be applied to minority problems, and is fairly straightforward.

⁶ Also called the “congressional dominance” model, I use the more general political control label to highlight the difference between the constellation of “political” actors: the courts, executives, and legislatures, and their appointed counterpoints in the bureaucracy.

Without representatives that share cultural, physical, and historical characteristics and experiences with the minority community, Latino and Black citizens will have little access to policy influence, and are less likely to have their preferences included in the political process (Pitkin 1967; Hero and Tolbert 1995; Mansbridge 1999). This theoretical relationship is not unique to Blacks and Latinos, but it does rely on the logic that class, party, economic, and regional preferences can sometimes be overwhelmed by ethnic and racial factors. That is, for minority voters, the ethnicity and race of a candidate or elected official serves as a strong cue about their policy preferences, and these preferences are likely to be consistent with those of voters who share the same physical and cultural characteristics (Bullock 1984;).

Minority politics scholars and political control scholars share the same assumptions about the primacy of legislative influence in the policy process. When Carol Swain (1993) talks about the inability of Black congressional officials to turn their legislative seats into policy influence, she is not questioning the power of the legislature, indeed she is emphasizing it. When Grofman et al. (1994) write about the historical efforts of Anglos to suppress the Black and Latino vote through electoral manipulation, they (and their subjects of study) are reinforcing the power of legislatures to control the policy process (4-28). Epstein and O'Halloran's (1999) "candidate of choice" argument is also predicated on the idea that elected legislative representatives are the key actors in enhancing minority political futures. The indirect use of political control arguments to guide minority representation theory suggests that mainstream political theory has much to offer the present study.

There are two main outcomes of the political control assumptions in the minority politics literature. First, as noted above, there has been a concerted effort to test descriptive representation effects for Blacks, and to a lesser extent Latinos (Karnig 1976; Robinson and Dye, 1978; Engstrom and McDonald 1981, 1986, 1987; Welch 1990; Kerr and Mladenka 1994). Second, there has been a long tradition of attention to electoral structures and vote dilution, and their effects on the minority vote (Key 1984; Browning et al. 1984; Davidson 1989; Grofman and Davidson 1992; Davidson and Grofman 1994; Grofman et al. 1994; Adams 2000; Behr 2004). I will review both of these theoretical traditions here and in the following chapters, as they provide essential insight into the hypotheses of interest.

Descriptive representation is normally used to depict politicians who share distinct physical traits with their constituencies (Pitkin 1967; although see Mansbridge 1999). Early studies of minority representation were predominately concerned with descriptive representation because the initial question of electoral impact centered on the winning candidates' ethnicity. This research agenda questioned whether electoral structures, primarily the change from at-large elections to single member district (or "ward") elections, provided added benefits to minority candidates, or whether non-institutional factors were more important to the process.

Early results seemed to indicate that both socio-economic and electoral variables were important to black representation (Karnig 1976; Robinson and Dye, 1978), but contrary findings challenged this conclusion, downplaying the role of structure in the

representative process (Cole 1974; MacManus 1978).⁷ Later research bolstered the former claim, suggesting that not only were at-large electoral arrangements critical to black failure at the polls (Davidson and Korbel 1981; Karnig and Welch 1982; Engstrom and McDonald 1981, 1986, 1987; Welch 1990) but that these structures were more powerful than socio-economic characteristics (Stewart et al. 1989). The most recent studies using data from national samples affirm that these results are generalizable and significant (Lublin 1997; Canon 1999); however, they may not hold for other minorities.

The outcomes of descriptive representation are varied, but it is generally asserted that they are beneficial to minorities. Mansbridge (1999) argues that there are psychological benefits to having representatives that look like you. Minorities who see a person who looks like them for the first time in a position of political influence begin to see possibility and kinship with the political system for the first time (Mansbridge 1999; see also Swain 1993, 219). In terms of mobilization and participation, Leighley (2001) maintains that minority officeholders and candidates are more likely to contact and attempt to mobilize minority voters than their non-minority counterparts. Also, Gay (2002) finds that Blacks are more likely to contact their representative if the representative is also Black. The main interest in minority descriptive representation, however, is that it will translate into substantive representation, or policy outputs that favor the minority group (Cameron et al. 1996; Canon 1999; Epstein and O'Halloran 1999; Hero and Tolbert 1995; Lublin 1997; Pantoja and Segura 2003; Swain 1993). The

⁷ The selection structures of interest for this project are appointments (in the national sample), single-member districts, where each candidate runs for office from a specific ward within the entire district, and at-large elections, where all of the candidates running for office face the same voters from the entire district. These variable selection rules will be discussed in detail in chapters four and five.

relationship between descriptive and substantive representation has thus become an issue of critical importance to scholars who study minority politics.

Why would minority representatives not be able to turn their place at the table into policy change? If the political control assumptions underlying the descriptive representation arguments are legitimate, then a minority legislative presence should translate into policy benefits for minority constituencies. There are a number of reasons why this might not be the case however. Four impediments are specifically pertinent to this study: legislative size, policy diversity, partisan responsibilities, and electoral rules.

In large legislative bodies, minority legislators may be *severely* outnumbered and rendered insignificant. One Black member in the U.S. Senate may be unable to jostle for Black policy benefits, and a few minority House members may lack the presence to win substantive outcomes in a legislative body with 435 members. As a simple matter of legislative size, minority officials will find their efficacy challenged. In smaller legislative bodies, city councils, commissions, and school boards for example, one or two minority members may have a substantial impact on policy because the likelihood that they become a pivotal member on a number of issues increases (Canon 1999; Leighley 2001, 8).

The number of policy responsibilities also has an important impact on the ability of minority legislators to respond to particular constituency concerns. It is difficult to gauge whether state or federal representatives have more policy responsibilities, and therefore fewer time resources to devote to a single issue. It is likely, however, that local representatives have a less diverse set of policy duties than members of these other

bodies, and are able to have a more direct influence on outputs (Berry and Howell 2005).⁸ At the level of the school board, there is a much more focused policy agenda, ensuring that (minority) members are held accountable for specific outputs. Put another way, constituents elect local board members to attend to a short list of policy goals, and if these goals are not attained, it is easier for constituents (and opposing candidates) to hold them accountable by removing them from office. In legislative bodies with larger, more diverse policy domains, the ability to hold legislators accountable is lessened.

Partisan and non-partisan environments have variable effects on the political dynamics of the legislative and voting processes. Here, we are interested in how a non-partisan environment may affect the ability of minority members to attend to the preferences of their minority constituency in a way that cannot be done in a partisan system. First, a non-partisan election may increase the likelihood of a minority candidate being elected because voters are more likely to rely on racial and ethnic factors as a cue instead of party (Lieske and Hillard 1984; Pomper 1966, 95-96; Squire and Smith 1988). Second, once in office, a minority office holder may feel cross-pressured by party and minority preferences in a partisan environment. Party affiliations diversify the constituency of a minority legislator, likely to include non-minority members; increasing the number of policy preferences they must address (Lineberry and Fowler 1967, 702; Pomper 1966).

Perhaps the most influential (certainly the most studied) factor affecting minority legislator's ability to turn seats into policy output change is the electoral structure

⁸ This speaks to the use of single versus multiple policy spaces to model voter-officeholder relationships. I will briefly discuss the appropriateness of this approach in the next chapter

(Adams 2000; Behr 2004; Cameron et al. 1996; Davidson and Grofman 1994; Davidson and Korbel 1981; Engstrom and McDonald 1981, 1986, 1987; Epstein and O'Halloran 1999; Grofman and Davidson 1992; Grofman et al. 1994; Karnig and Welch 1982; Swain 1993; Welch 1990). While partisanship can be considered part of the electoral rules, it is generally not measured conjointly with the other institutional features like at-large vs. single member districts, or appointments. Scholars are not only interested in the presence of a single-member district system, but also how the district lines are drawn once implemented (Davidson 1989; Guinier 1994; Swain 1993). In the following chapters I explore the long history of vote dilution and legal challenges in the United States that have affected the Texas system, but here I want to briefly cover the more general logic to electoral variation and how it specifically affects turning descriptive representation into substantive representation.

Throughout U.S. history, both majority and minority groups have recognized the effects of electoral manipulation on substantive policy outcomes. Blacks have been particularly targeted by literacy tests, grandfather clauses, and physical intimidation, but Latinos and other groups have also had their voting rights jeopardized by these tactics (Davidson and Grofman 1994; De la Garza 2004; Key 1984). After years of struggle in the courts and in legislatures, these direct devices have been removed, however, minorities have still had difficulties achieving both descriptive and substantive legislative representation. Scholarly attention has thus turned to possible indirect influences of at-large elections, or gerrymandered districts, on minority “vote dilution” (Davidson 1989; Davidson and Grofman 1994; De la Garza and DeSipio 1997).

The relationship between at-large elections and minority representation exemplifies the “two-tiered” pluralism argument made by Hero (1992). Although civil rights legislation and court interpretation have rendered direct vote manipulation illegal, and no citizen’s right to vote is denied (tier one), electoral outputs and continued policy benefit shortages for particular groups suggests that in fact, minorities do not have proportional influence on the policy process (tier two). The potential for minority *under-* representation in at-large elections has been recognized by both legislatures and the courts, and the remedial solutions reflect the two-tiered pluralism argument. That is, after recognizing the influence of electoral institutions on individuals, regardless of race, ethnicity, historical experience, or culture (a “rational choice” approach if you will), particular institutional changes are implemented to remedy the substantive outcomes of elections (a potentially unfair, certainly biased remedy that recognizes the unique history and culture of particular minority groups).

The primary remedy for minority vote dilution is the single-member district, gerrymandered in a way to create at least one “minority opportunity district” (Behr 2004). This solution has been used at all levels of government to stunning descriptive success (Fraga 1997, 443), but in the translation of these seats into policy, the evidence is at least mixed, and perhaps absent (Epstein and O’Halloran 1999; Lublin 1999; Swain 1993).

Swain (1993) contends that “majority-minority” districts may dilute overall support for Black policies because Anglo candidates no longer have to contend with minority constituencies in their own majority districts. She notes that Republicans

actually helped create many of the black majority districts in the early 1990s in order to dilute overall Democratic Party political power (205-206). Substantial research examines Swain's argument at the national level, but overall the evidence is inconsistent. Cameron, Epstein, and O'Halloran (1996) use national-level data to look at the effect of Black representative behavior concerning civil rights votes and find that substantive Black political power is reduced as a result of the creation of majority-minority districts. They conclude that the use of this type of electoral solution trades descriptive for substantive gains, leaving Blacks at a disadvantage in important policy battles.

In a more recent study Epstein and O'Halloran (1999) arrive at mixed results after examining South Carolina state senate elections. They find that many majority-minority districts *over* represent minorities and hinder policy gains, but without these districts minorities risk losing descriptive representation. David Lublin (1997) uses national data and concludes that single member districts severely hinder Black policy gains. He suggests (like Swain, Cameron, Epstein, and O'Halloran) that the percentage of Blacks in majority-minority districts is too high and should be lowered in order to promote greater competition in adjacent Republican-controlled seats (Lublin 1999, 119).

The evidence supporting positive electoral effects on substantive representation includes multi-level and multi-ethnic analyses. Karnig (1976, 237) explains why we would expect to see policy losses from minorities elected in at-large districts: "There would likely be a higher incidence of substantively *unrepresentative* black councilmen in at-large cities, where black candidates must appeal to the white electorate in order to gain office. If policy attitudes of Black councilmen are basically the same as white

councilmen, major changes in policy outcomes are not likely” (1976, 237). Stewart et al. (1989) test this theory using a national sample of Black school board members and affirm that single member structures create more opportunity for Black representation, and that this representation translates into more black administrative and teaching positions. Leal et al. (2002) find a similar relationship for Latino school board members, administrators, and teachers using a more recent national survey.

Canon (1999) examines the U.S. House and finds that single member districts increase the quality of black candidates over time. Also, the structure positively affects the way in which these members represent their constituents, noting that these members “often provide pivotal votes for passing important legislation, they are forceful advocates for black interests in their speeches and sponsorship of legislation, and the bills they sponsor are more likely to succeed than those with nonblack sponsors” (245).

The concrete theoretical relationship between election rules, descriptive representation, and substantive representation will be discussed in chapters four and five, in service to specific hypothesis development. For now, the broader picture is more important. The debate over electoral structure, gerrymandered districts, and substantive representation is firmly located within the political control literature. Legislative actors are responsible for policy change, consequently, policy change that favors minorities can only come once the “correct” formula for electing minority legislators is found (either through the courts or through the scientific study of these structures). This is the assumption shared by all who look into these remedial efforts.

Secondly, we begin to see how mainstream theory and particular minority

experiences might be combined into a generalizable theory of a *dynamic* policy process.

If a minority group's historical experience, culture, and other unique features become the reasons for their preference development and their preference ordering, instead of post hoc explanations for their political successes and failures, these factors retain their importance but lose their position as the unique causal factors in the policy process.

Political control assumptions are critical to any theory of minority politics and policy change, but are they the only piece of the minority politics puzzle? Majoritarian politics cannot answer these questions completely, making the study of minority dynamics in a majority environment critical to the development of the theory of political control.

Can the Bureaucracy Substantively "Represent" Anyone

The exact position of the public bureaucracy in a representative democracy is difficult for scholars to determine. The original public administration/public policy "split" (whether initiated by the authors themselves or later scholars looking for a straw man to kick over, see Lynn 2001) was a question about where the bureaucracy fit within the democratic process (Goodnow 1900; Weber 1922; Willoughby 1918; Wilson 1887). Is the public bureau simply an efficiency machine, borne to do its political master's bidding? These authors conclude that whether the bureaucracy is a political player or not, it *should* try to best serve the Constitution and the people. Their main concern is with ethics and the efficiency of service; the constitutional questions are to be answered by politicians (Wilson 1887, 209-210).

Later scholars challenged this notion by arguing that the bureaucracy is its own entity, its own branch of a democratic government, and that questions of efficiency are secondary to (or at least on par with) the power of the bureaucracy to fix the problems that politicians and special interest groups create. In many ways, the bureaucracy is a buffer between the powerful and the powerless. Themes of study that fit here include representative bureaucracy (Hinderer 1993; Meier 1993; Meier and Stewart 1991; Seldon 1997), bureaucratic politics (Meier 1993; Waldo 1948; Wilson 1989), and much of the work on implementation (Mazmanian and Sabatier 1983; Pressman and Wildavsky 1984; Sabatier 1986; Wilson 1987). From these vantage points, bureaucracy cannot (and should not) be perfectly efficient from the point of view of its political masters, because it is responsible to its clientele, past coalitions, minority groups, and the public at large to protect and represent their interests.

Other authors, who lie somewhere between the poles described above, believe that the role of the bureaucracy is that of a gateway between the people and their politicians. In this sense, the bureaucracy serves as a dutiful employee of elected officials and the law, but at the same time provides information for, and even bargains with, its master for more equitable and efficient policy in the interest of the un-elected masses. These studies congregate mostly in the public administration field and include: governance studies (Fredrickson and Smith 2003; Hienrich and Lynn 2000; Lynn et al. 2001; Peters and Pierre 1998), networking (Agranoff and McGuire 1999; Howlett 2002; O'Toole 1997; O'Toole and Meier 2002), and the public management and public administration fields in general (Kettl 1993; Seidman 1998).

Woodrow Wilson (1887, 201) characterizes the early study of public administration research; “This is why there should be a science of administration which shall seek to straighten the paths of government, to make its business less unbusinesslike, to strengthen and purify its organization, and to crown its dutifulness.” Clearly Wilson and others of this era were referring to administrative efficiency when they spoke of a bureaucracy that was built upon a “more efficient and economical basis” (Taylor 1997 (1912); Willoughby 1997 (1918)).⁹ The stress on creating a more efficient government apparatus however, was not predicated on enduring a less democratic public agency. In each, there is a common theme of practice towards the benefit of the government or the public good (Goodnow 1997 (1900); Herring 1997 (1936); White 1997 (1926)). There is a legalism inherent in these readings that positions the notion of efficiency on par with responsiveness and accountability, and leaves other democratic values close behind. The concept of efficiency was not a stand-alone value for early public administration scholars or practitioners.

This view began to change as organizational theory made breakthroughs in the study of the private and public firm. Chester Barnard, Paul Appleby and Herbert Simon all played a part in recognizing that the most “efficient” organization of administration did not start with a simple hierarchy of authority. The idea that individual workers had different types of leverage over their masters was not new (Taylor 1997; Weber 1922;), but the notion that the “firm,” a fixed and agreed upon object, was actually a constant

⁹ To be clear, the works described in this section define efficiency generally as a proportion of input to output (although it can also be defined by economists in an “allocative” sense, but this is more in line with what we would term “responsiveness” Boyne 2002). I argue that this technical definition is not as important as the context within which it is made. In fact, it is this context (the relative weight it is given among other democratic values) that *defines* the difference between some of the literature discussed here.

process of negotiation contributed to a rethinking of how public and private organizations differed. Thus, the organizational theory literature had a direct impact on how implementation was viewed by social scientists, and added greatly to the demise of efficiency as the only explanation of policy failures (Mazmanian and Sabatier 1983, 4).

Terry Moe (1995) explains how public organizations and private organizations differ fundamentally (thus diminishing the lesson to be learned from comparing market and public efficiency evaluations). A private firm is organized as a *voluntary* agreement between actors with property rights that cannot be taken away; thus the actors' "organizational problem is a technical one" (Moe 1995, 147). In a public firm where there are multiple principals, the property rights of government power (the authority to make decisions that affect *both* winners and losers of the political game) can be taken away at each election. In order to prevent future coalitions from altering current policies, political actors create "complex, restrictive, and often bizarre administrative arrangements" (Moe 1995, 147). This compelling insight leads Moe to conclude "[public administration scholars] cannot copy or mimic economic explanation" (147).¹⁰

Implementation scholars had come to this conclusion long before (but they had not verbalized the dilemma so concisely), and the consideration of these new problems caused a shift in attention from efficiency to other components of democratic administration. Donald Kettl (1993) notes that Paul Appleby and Dwight Waldo were among the originators of this broader examination; for them, "efficiency seemed unacceptably shallow" (411). For Appleby, Waldo, and others, efficiency concerns have

¹⁰ See also, Lynn et al. 2001 Chapter 2, for a similar discussion of the differences between private and public structures.

little purchase in the public sphere because the most efficient method of service delivery can usually be found, however these solutions often show little regard for politics, justice, accountability and equity (Fredrickson and Smith 2003, 43-48; Meier 1987, 6-7). Thus, implementation came to focus on the political and environmental constraints faced by agencies in the public sphere, rather than on the simpler notion of efficient administration. As a result, the implementation field exploded during this time (Kettl 1993; Linder and Peters 1987; O'Toole 2000).

The discussion between traditional public policy/public administration scholars and institutionalist theorists created an opportunity for the development of a blended theory of public organizations. Taking into account the enormous amount of political (i.e. institutional) control over public agencies, combined with the variable amount of agency influence on the policy making process, neo-institutionalists describe a more endogenous relationship than their predecessors. Neo-institutionalism is a general label for an array of approaches that treats the rules of the game as important constraints on the behavior of actors in a setting. Fredrickson and Smith (2003, 69) characterize the state of public policy and public administration scholarship with this, "Today we are all institutionalists." This brand of institutionalism is "new" in the sense that it comes after the behavioral revolution, and reflects the insights of behavioralists and organizational theorists (March and Olson 1984, 738). Beyond this, the framework reasserts the autonomy of institutions as the driving force behind much of the political behavior we observe, and looks very similar to the old institutionalist orthodoxy (March and Olson 1984). The difference between this theoretical version and the old institutionalism is

relevant because it lays the groundwork for the hypothesis development in the following chapters.

Decision theory, and organizational theory in general (especially the contributions of economists), added to the rise of institutions in the modern sense (Coase 1938; Cyert and March 1959; Hill and Hupe 2002, 32-40; North 1993; Powell and DiMaggio 1991; Simon 1947; Williamson 1975). The main break from the past is that previous policy and administration scholars treated institutions as fixed objects that produce outcomes on their own. Neo-institutionalists are also concerned with how institutions are manipulated by actors (both within and outside of the institution) to produce outcomes (Ostrom 1990; Powell and DiMaggio 1991; Schlager and Blomquist 1996).

Terry Moe (1984; 1985) demonstrates why this new approach is so valuable. Because political actors are only allowed temporary “property rights” to make policy, they try to formalize their preferences in order to keep *future* coalitions from changing them (Moe 1985). Rules, laws, executive orders, and even monuments are the formal representations of values (preferences) of past coalitions (see also Wood and Waterman 1994, 127). The institution itself does not *do* anything, rather it is the actions of individuals (or coalitions) who are beholden to these institutions that matter (Cyert and March 1959). For example, Congress as an institution does not pass laws; rather it is the activities of the individual members who have all pledged an oath of conduct (stating they agree on the rules of the game, i.e. the Constitution) that we refer to when we talk about Congress as an institution. The broad coalition of support for the rules of the

game (not to mention the use of force that backs it up)¹¹ is what keeps the institution of Congress alive and well. To build a coalition that does not agree with the rules of the game (to dissolve Congress) is an option that is off the equilibrium path, but is nevertheless an option.

What does this have to do with minority politics? A neo-institutionalist approach allows us to develop hypotheses about three specific issues pertinent to the policy process and the minority role in it. First, the political control literature emphasizes the role of institutions and legislative actors in producing policy outcomes that benefit (or hinder) minorities. Thus, minority scholars who study the influence of electoral rules and descriptive representation on substantive outcomes are examining the major theoretical strain of the neo-institutionalist perspective. Second, bureaucratic representation and implementation studies are of considerable importance to understanding the policy process. The role of the agent in providing information, using her discretion to potentially change policy, and even *influencing who gets elected to legislative seats* is generally overlooked by political control scholars. The minority role in the bureaucracy can provide substantial leverage on these questions. The third related issue is institutional change. Neo-institutionalism speaks directly to the possible temporary nature of the rules of the game. Instead of assuming that electoral structures are exogenous, this perspective allows us to hypothesize a role for the agent in institutional change. For minority communities, the resources and information that bureaucratic employment provides may be critical in promoting legislative institutional

¹¹ This is important, because it details the difference between public institutions (those that can be backed up by the force of the state) and other types of “private” institutions (Fredrickson and Smith 2003, 74).

change. That is, low resource minority groups who face substantial majority roadblocks in the electoral and legislative arenas may find that they have considerable influence in the bureaucracy and the courts.

As stand alone theories, bureaucratic representation and political control are on shaky ground; each has its shortcomings. The problem with a theory of bureaucratic representation is that bureaucrats are appointed specifically to implement policy, not create, or alter it in a manner that diverges from legislative intent (McCubbins et al. 1987; McCubbins and Schwartz 1984). Theories of the bureaucracy however, have repeatedly recognized the power of the bureaucratic agent to use her discretion in a manner that can influence the policy process (Brehm and Gates 1997; Coleman et al. 1998; Mosher 1968; Hinderer and Young 1998). But this discretionary power by itself is not proof of representation, indeed it is a key ingredient to the process of legislative control. Bureaucrats are vital information providers for their legislative masters, and in an ideal relationship they are a neutral mechanism, insulated from the strategic political maneuverings of legislative politics (Taylor 1997; Weber 1922; Wilson 1887).

One difficulty with accepting political control arguments whole cloth is that they are typically applied to, and tested, at the federal level (Carpenter 2001; McCubbins et al. 1987; Moe 1984; Weingast and Moran 1983; Wood and Waterman 1994;). While there is little doubt that the political control arguments will eventually be demonstrated at the state and local levels as well, these other levels of government are of particular interest for minority scholarship because it is here where minority groups have easier access to the policy process, and because state and local policies are generally more

salient to minority communities. The political control arguments need to be examined at the local level in particular because it is here where less experienced politicians come into contact with experienced interests in the bureaucracy and clientele (Tucker and Ziegler 1980). If minority groups are finding alternative avenues of policy influence (distinct from legislative representation), it will be observed at the local level.

Moreover, the role of the “representative” agent in theories using political control may be absolutely critical to their validation. Over time, legislative fire alarms and police patrols develop as a reaction to both anticipated *and unforeseen* influences; one of these is the power of the bureaucratic agent to affect policy in a variety of ways. Perhaps, sometimes bureaucrats get what they want (in a way that differs from legislative preferences), and other times, possibly, legislatures change the rules of the game to prevent this from happening. Either way, bureaucrats play a decisive role in the process of institutional and policy change.

CHAPTER III

THE POLITICS OF EDUCATION IN THE UNITED STATES

The Houston Independent School District in Houston, Texas is unlike most other school districts in the United States. Its size (209,000 students), racial composition (80 percent Black and Latino students), and budget (over one billion dollars for the 2004-2005 school year) make it one of the most complex local public organizations in the United States (HISD 2005). With all of these unique features however, HISD has been traditionally ordinary in terms of minority representation at the legislative and bureaucratic levels. Although only one out of ten students in the district is Anglo, four of the nine current school board members are Anglo (HISD 2005). The district's first Black superintendent, Rod Paige, was not appointed until 1994, and helped recruit the district's first permanent Latino superintendent, Abe Saavedra, in 2001 (Saavedra took the lead position in late 2004). The only exceptional feature of these disproportionate numbers is that they are much *better* than most other school districts in the state and in the nation.

Like other private and public organizations reaching their first "firsts" in terms of racial minority leadership, HISD officials simultaneously celebrated and disdained the racial nature the appointment of Abe Saavedra to the superintendent post. Board member Dianne Johnson stated, "A lot of media will portray your appointment today as a symbolic achievement for HISD, but my view is that in hiring Dr. Saavedra, we have chosen a first-rate educator" (Houston Chronicle 6/23/2004). Indeed, Dr. Saavedra himself was quick to pull this maneuver on the day of the appointment. "I think I offer a

certain level of sensitivity to (the Hispanic) culture, to those issues. But quite frankly, the needs of this district are real for all kids, not just Hispanic kids. And I intend to be superintendent for all kids” (Click2Houston.com 12/9/2004). In separate comments, he continued, “I don’t necessarily believe that only a Hispanic person can meet the needs of Hispanic children, but I do believe that an individual who is Hispanic and knows the culture is able to offer a sensitivity to some of their challenges and problems” (Houston Chronicle 12/8/04).

Many of the interested parties in the process saw Saavedra’s appointment as a Hispanic, as symbolic, significant, and timely. “Because he is Hispanic, because he is one of us, he should understand when we have the problems and he should understand that we should get these problems resolved as quickly as possible” commented William Morris of the Hispanic Policy Action Center (Click2Houston.com 12/9/2004). Unlike HISD officials, Morris was free to expand upon what he meant, without resorting to coded language, “Having someone that looks like you, speaks like you—to some degree, eats the same things that you do—but in doing that, you should understand my problem” (Click2Houston.com 12/9/2004).

What do these sentiments mean in terms of Dr. Saavedra’s role as superintendent? As a bureaucrat, an unelected executive, Saavedra is theoretically under the control of the school board that appointed him. It appears as though the growing Latino population in Houston prefers a bureaucrat who looks like them, and will presumably be supportive of their preferences. If this is the case, then the school board was being responsive to the preferences of the public in selecting Saavedra to helm the

district. Had they selected another Anglo there may have been consequences in the next election.

It may be too easy to place Dr. Saavedra in this role alone however. As a bureaucrat, he has been delegated enormous discretion on how to implement school district policy and must do so with the cooperation of parents, students, and interest groups. If they are not on board with his policies, then producing substantive outputs and outcomes becomes difficult. With their support however, Dr. Saavedra could move mountains, and potentially school board members. That is, should Saavedra convince the public that his preferred implementation strategy is the best way to increase organizational efficiency and effectiveness, and should these preferences be at odds with the school board, it is conceivable that his influence could affect future electoral outcomes. These are not abstract possibilities. These are the conditions under which public education in the United States operates.

This chapter links the theoretical arguments made in chapter two with the empirical tests developed in chapters four and five. Specifically, I describe the education system in the United States in a broad sense by defining the roles of each local political actor and explaining how these different roles can provide Latino individuals opportunities to act “politically.” Secondly, the two datasets are presented in detail, providing an initial description of the political state of Latino education in at the turn of the 21st century. The national and Texas datasets are uniquely suited to test the inputs and outcomes of minority influence in the local policy arena. Lastly, the role of the courts is illustrated with a brief discussion of how different interpretations of the Voting

Rights Act of 1965 reversed Progressive electoral reforms from a century earlier, and lead to great gains in descriptive Latino representation.

Education in the United States

The U.S. public education system is atypical among most developed democracies in terms of localized policy control. Its system is one of the most decentralized of the Organization for Economic Development and Cooperation (OECD) nations because throughout its history, almost all funding (for buildings, textbooks, teachers' pay, etc.) has been in the hands of local school districts, counties, and states (Postlethwaite 1988; 701-703; Smith and Marciano 2000; 22-23).¹² State education agencies, local school boards, and their superintendents also have control over the choice of curriculum, textbooks, and school personnel (Postlethwaite 1988; 702; Tucker and Zeigler 1980). Further, lower level bureaucrats like principals and teachers have a large amount of discretion in their schools and classrooms compared to those in other nations.¹³ It is primarily this local discretion that separates public education in the United States from arrangements in other countries.

It is possible that the organization of the U.S. education system is a product of the nation's political structure, and that organizational variation across all countries could in part be explained by different institutional incentives (as opposed to culture,

¹² This is of course changing with the NCLB Act, producing political battles that validate the use of the political control perspective in education policy.

¹³ For instance, Japanese teachers are all trained (through a process of certification much different than the U.S. state system) with uniform methods to teach in a manner consistent with the pragmatic vision of the central government (Kamijo 382).

ideology, historical accidents, etc.). The historical formation of the U.S. system and its ties to political incentives are not central to this study; however they do speak to why this particular policy area may be susceptible to minority and bureaucratic political influences that others are not.

Bertelli and Lynn (2004) use mental health policy in the United States to examine differences between principal-agent relationships in regulatory and welfare policy areas. They claim that “as with virtually all public policies concerning social service provision, mental health policy originated in local, charitable, responses to human need” (Bertelli and Lynn 2004, 175; see also Meier et al. 2003). Human service policy (including education)¹⁴ is thus characterized by: 1) difficult ideological decisions on what outputs are good for which clientele (or “controversial moral judgments”), 2) “selective inducements to stakeholders with private interests in service provision,” and 3) “discretionary judgments by professionals and experts who value autonomy and may have strong ideological orientations” (Bertelli and Lynn 2004, 167). Stated less formally, education policy, as with other human service provision, involves ideological and moral debate about what a “good” democratic education actually entails (Ravitch 2000; Tyack and Cuban 1996), a large amount of bargaining with, and provision of “goodies” to, interest groups in the school district to overcome collective action problems, and a large amount of delegated discretion to low and mid-level bureaucrats (experts).

¹⁴ For work on education as a human service policy, see Wilson (1989); For work on the history of education and the development of the local system, see Briffault (2005); Ravitch (2000) Tyack and Cuban (1995); Hirschland and Steinmo (2003)

Bertelli and Lynn (2004) use this perspective to examine mental health policy from a common agency framework, specifying when and how policy change and institutional change occurs in these policy areas. They identify two important factors in the policy change process: the presence of new groups in the policy system and a change in “influence technologies” (Bertelli and Lynn 2004, 174-175). These factors coincide with the discussion of minority groups in the education system presented here. That is, when new preference groups enter the system, or when they are granted new tools with which to influence the policy process (electoral change or court mandated influence), educational outputs may shift substantially. Bertelli and Lynn’s approach however treats the bureau as a “preference congealing governmental structure” not a separate interest group (2004, n.15). This is a critical assumption that is challenged in other work, and indeed is one of the key arguments for and against the idea of bureaucratic representation. Beyond this specific theoretical difference however, it is clear that human service provision like public education is characterized from other policy areas by the ability of new interest groups to have a substantial impact on policy and institutional change, given the right circumstances.

Meier et al. (2003) directly challenge the assumption of bureaucratic neutrality in non-regulatory arenas like education policy. In the tradition of policy studies in general, (see Horn 1995; Pressman and Wildavsky 1979; Rourke 1984) the authors differentiate the top-down perspective of regulatory policy control from more mutable welfare policies, as Bertelli and Lynn (2004) do. Meier et al. (2003) however, feature the powerful role of the bureaucracy in these unique environments, rather than assuming it

away. Brehm and Gates also emphasize the substantial role played by low and mid-level bureaucrats in agencies that produce information rather than material public goods (1997, 192). Monitoring what these agencies actually produce proves to be difficult; “the supervisor has a much more difficult time assessing ‘how much’ or ‘how efficiently’ a given subordinate produces. That is, even if the subordinate’s production were fully visible with zero monitoring costs, production is itself ambiguous.” (Brehm and Gates 1997, 192).

Combining the bureaucratic representation perspective with the idea of common agency in human service provision suggests that in particular environments, bureaucrats can potentially act like interest groups and influence policy using their information advantages, their expertise, their discretion to produce ambiguous outcomes, and their relationship with the clientele to create policy change. And it is not just in their relationship with their direct political masters. In the United States, because local education legislators are elected, low and mid-level bureaucrats also carry substantial weight with clientele on what is being produced, who is at fault for ineffective delivery, and who should be held accountable. Teachers and administrators play a variety of roles in the election process as well. They are cue-givers, agenda setters, and in some cases, they may make up a large part of the election-day turnout. These roles will be discussed below, but first, if we want to apply the bureaucratic representation perspective we must show that education policy is difficult to monitor at the local level.

The delegation (or abdication) of education policy to local actors in the United States may be a result of the high degree of co-production of outcomes in this policy

area, and the technical difficulty in determining responsibility for policy success or failure. That is, because of the ambiguity in the production of non-material goods, and because of the inherent ideological pluralism that defines public education in the U.S., legislators may delegate a larger amount of discretion to bureaucrats than would be expected in other agencies. This ambiguity springs from multiple factors. Education outputs, in any society, are a conglomeration of student, parent, teacher, school, and community recourses (including political, economic, and ideological factors). In a heterogeneous ideological and economic environment, these factors are even further varied and less predictable.

How does one gauge educational success? It might be assessed using student test scores, graduation rates, parent satisfaction, student success on the job market or dropout rates. But each of these measures contains inputs from the individual student, the teacher, community resources, school board members, the superintendent, and potentially even school security guards and janitors. This is common in human service provision (See Wilson 1989, 168-171 on “coping organizations”). The client is a co-producer of the policy output and their compliance with the agency is critical to what types of outcomes are observed. When teachers do not have the cooperation of the students, the co-production does not function optimally. Similarly, when a superintendent does not have the support of the community (or particular groups within the community) he has a harder time getting parents involved in the inherently cooperative nature of production.

Returning to the Abe Saavedra story in Houston, as the new face of the school district Saavedra was engaged in this process with stakeholders early on. Facing a largely Black audience at Yates High School, Saavedra was surprised by the animosity expressed towards the possibility of handing over these underperforming schools to outside groups. “I did not anticipate (their fierce reaction)” Dr. Saavedra said afterwards (Houston Chronicle 2/25/05). “I did anticipate challenges and the need to put more information out. (But) the level of response we got was a complete surprise to me” (Houston Chronicle 2/25/05).

In their first meeting with the Latino bureaucrat, Blacks in the Yates area expressed their displeasure with his handling of recent cheating investigations and reform schemes (Houston Chronicle 2/25/05). The parents were deciding whether to expend cooperative or non-cooperative resources towards Mr. Saavedra (in a real sense, deciding whether to “work” or “shirk”). “The jury is still out” said former NAACP president Howard Jefferson, “It is up to him and the actions he takes that will determine how the African-American community, Hispanic, white, Asian all feel. It’s not on the best of terms right now” (Houston Chronicle 2/25/05). Another seasoned elected Black official, State Representative Sylvester Turner, had this advice for Saavedra, “Before you can make sweeping changes, you have to take time to get all of the stakeholders to buy into your plan...But if you try to move too quickly, unilaterally without getting the stakeholders to buy in, you are going to get resistance” (Houston Chronicle 2/25/05).

Because of the indefinite assessment environment in education, and the degree to which clientele shirking can affect bureaucratic outcomes, I argue that bureaucratic

neutrality is a suspect concept in education policy. That is, teachers and administrators have more control in this policy space than other agents in other public organizations.¹⁵

Tucker and Zeigler stress this point in their innovative study of school boards

Professionals Versus the Public: Attitudes, Communication, and Response in School

Districts (1980). Elected school board members operate at a severe disadvantage to the professional educators and administrators who redefine democratic responsiveness in a manner as to make the term irrelevant (Tucker and Zeigler 1980, 5-6). From this perspective, bureaucrats use their expertise and information advantages to redefine their own preferences as those of the clientele, post-hoc.

The sentiments of hope in the appointment of Abe Saavedra reflect the inherent co-productive nature of education policy (and social welfare policy more generally). Pressure from minority parent and community groups may have lead to Saavedra's appointment, but these co-producers are just as willing to flex their cooperative muscle should he not do their bidding. These clients did not want a neutral bureaucrat to do the school board's wishes because the school board explicitly delegated this representative policy role to the bureaucracy. The appointment of Saavedra and other minority bureaucrats is seen as a substantive benefit for minority clientele, not simply for reasons of patronage, but because education policy is unique in its susceptibility to minority influence at multiple points in the implementation process. Without bureaucratic representation, clientele stakeholders will shirk, and policy outputs will decline as

¹⁵ It should be repeated here that the NCLB directly addresses these ambiguity issues, as well as the nature of measuring who is responsible for failures. It remains to be seen whether it actually sheds light on some of these issues, or simply burdens a politically convenient opponent to libertarian privatization reforms.

parents, students and community groups wait to be convinced that their preferences are being represented.

If any public policy is susceptible to bureaucratic representation in the United States, it is public education. This is due to the high degree of decentralization of policy control, the inherent nature of cooperative production of outcomes, the localized nature of legislative representation, and because of the particular features of human service provision that constrain the ability of elected officials to control agents. All of these factors make it likely that minority groups with new preferences can enter the bureaucracy, and influence both policy and the rules of the game. To what extent this occurs is unknown however, and must be addressed empirically. The next sections describe the exact role of the main actors at the local level and also provide a descriptive picture of the two data sets I use for the analyses that follow.

Legislators: School Board Members

School board members are locally elected legislators with responsibility for every general area of policy in the school district. They decide on the school calendar, what qualifications teachers will have, which buildings will get capital improvement funding, write budgets, create academic standards, and refine the curriculum (Berry and Howell 2005; Tucker and Zeigler 1980). In cooperation with the superintendent, school board members deal with state and federal mandates and incentives, bargain with other public stakeholders as well as interest groups outside of the formal public organization (Tucker and Zeigler 1980, 7). This large amount of responsibility is surprisingly handed

over to laypeople whose primary qualification is residence in the school district. These members are mothers, fathers, former teachers, businesspeople, and other inexperienced politicians. Statistics for school board candidate characteristics are rare, but some indication can be gleaned from figures for Chicago in the 1990's (*Catalyst* 1998). During this time period, roughly 20 percent of the school board candidates were former teachers, 23 percent were "community" members, and 57 percent were parents (*Catalyst* 1998). The same statistics show that open seats in this urban district are typically uncontested, hovering around 1.5 candidates per seat (*Catalyst* 1998).

This picture of local control is celebrated as one of the last vestiges of pure democracy in the United States (Campbell 2005; Tucker and Zeigler 1980). While many school board members (particularly in larger urban districts) are highly educated, 67 percent had college degrees in 2000, most have very little expertise in a policymaking role (Carr 2003). These laypeople are charged with selecting agents who are more experienced than they are, have typically been in the system longer, and resent any intrusion on how children should be educated (Carr 2003; Tucker and Zeigler 1980). This paradoxical relationship between the people and the experts is a direct by-product of the localized delegation of authority by the states (Briffault 2005; Tucker and Zeigler 1980), and reflects the historical development of other human service provision policies (Bertelli and Lynn 2004).

Tucker and Zeigler (1980) present a strong case for bureaucratic control of educational policy. Their study examines the preferences of board members, administrators, community elites, and the public in eleven U.S. school districts (Tucker

and Zeigler 1980). The authors compare the survey preferences of each group with measures of policy responsiveness and find that school district policy is dominated by district bureaucrats, not the public. Even though local board members are elected, few voters bother to show up. While board meetings are open to the public, the superintendent and other bureaucrats get to set the agenda and counter balance public perception with their expert testimony. School board members do select these bureaucrats, but it is often with the advice and consent of administrators already in the system (in the case of Abe Saavedra, he was handpicked by a previous superintendent Rod Paige). In every area of discretion, board members are heavily influenced by teacher and administrative input (Tucker and Zeigler 1980, 229-233). While board members have *de jure* authority over the entirety of school district policy, suggesting a strong top-down policy flow, “the superintendent and other professional administrators consistently dominate the lay school board and public...largely because the latter abstain from participation” (Tucker and Zeigler 1980, 229-230). This is the question that dominates the present study. Do minority school board members make a difference on policy that responds to their constituency interests, or does the process work in the opposite direction?

If in fact Tucker and Zeigler are wrong, or perhaps if conditions have changed since the mid-seventies, there are a number of institutional factors that may contribute to top-down influence from minority legislative representation. The size of the school board is of particular concern for this study, as it pertains to the ability of one or two members to influence policy. School boards typically consist of seven members, but

their size can range from five to twenty. Compared to the legislative bodies at the state and federal levels, the ability of one member to bargain, logroll, or otherwise influence their counterparts is enhanced greatly. In an interview with a Latino former superintendent of two Texas school districts, I was told that strategic voting was the *modus operandi* for Latino members on an Anglo board; “They are the jokers in the deck,” “a wildcard” on any issue (Manzano 2005). This strategy of survival, in terms of the electorate as well as fellow board members, is made easier by the likelihood that one Latino will be pivotal on most votes because of small numbers.

A second condition that contributes to greater individual influence on these bodies concerns the range of policies they consider. Berry and Howell (2005) argue that unlike multiple function governments, school boards are amazingly policy uni-dimensional. In response to Fiorina’s claim that “few elections can be treated as free-standing decisions on a single issue,” Berry and Howell argue that this characterization *defines* many local level elections (Fiorina, quoted in Berry and Howell 2005, 7). They state, “The job responsibilities of school board members...are reasonably well-defined—certainly more so than mayors or city council members, much less governors, Senators, or presidents” (Berry and Howell 2005, 7).

The smaller policy responsibility of school board members does two things. First, it makes elections much clearer events for voters. “In the context of school board elections, however, (other) problems evaporate as issue spaces collapse onto a single function. A successful tenure on school boards ultimately reduces to demonstrated improvements in student learning” (Berry and Howell 2005, 11). Because bureaucrats

are insulated from the wrath of voters, even though they may have a greater influence on student outcomes, school board members “must face the full brunt of voter discontent when student performance slips” (Berry and Howell 2005, 12). Thus, parents who are unhappy with school performance can hold their elected officials responsible to a greater degree than they can with state or federal legislators.

Secondly, minority school board members are able to focus their constituency preferences into every aspect of policy. Without the cross-pressures of a multiple policy space, members can ask, “Is this decision good for my (minority) community?” Thus, modeling funding, curriculum, and hiring decisions on a single policy dimension (Latino versus Anglo for example) is justifiable and seemingly consistent with the real-world rationale employed by both legislators and voters alike. This is certainly not the case in other local, state and federal governing bodies.

Bureaucrats: Administrators and Teachers

Administrators

The role of the school board, although constrained, is fairly clear in a public policy arena like education, however, the role of the bureaucracy is less certain. Obviously, superintendents, assistant superintendents, principals, assistant principals, and other administrative staff have clearly defined job descriptions, but their discretionary influence lies in their interaction with the school board and public (a large part of their delegated role). Administrators are formally charged with recruiting and hiring teachers, cafeteria staff, janitors, and other street level agents. These hires are

made with the approval of the school board, but can be framed in terms of district needs. That is, if administrators prefer to hire more certified staff, they can frame the problem in terms of budget constraints and class size reduction. If these agents prefer to hire more minority teachers (at a higher cost perhaps), they can frame the problem in terms of student performance and communication, as well as parent/teacher interface.

Many of the hiring decisions in Texas have to do with labor supply and teacher/client communication. In my interview with Jose Manzano I learned that a big issue with Anglo teachers in Latino schools is that they have a very difficult time speaking to Latino parents due to language and cultural differences. This problem was highlighted in another interview with an Anglo Denver middle school teacher. He stated that many times he couldn't work with a student's parents because they simply could not understand him. Given the large role of the parents and students in the co-production of educational outputs, this language and culture gap could be highly detrimental to student performance.

To counter this problem, many Texas school districts recruit new teachers from largely Latino districts, and have recently begun to recruit heavily from Mexican Universities. Mr. Manzano said that this was a major administrative problem in his Latino district. Much of his work involved the retention of quality Latino teachers who were being cherry-picked by larger and better funded bureaucracies. The market for quality Latino labor in Texas is tight, and recruitment and hiring is an authentic policy choice made by administrators and/or school board members. The question is, do Latino

board members or administrators have any real (or differential) effect on this process, or is it being driven by other factors instead?

Teachers

Teachers are street-level bureaucrats (Brehm and Gates 1997; Lipsky 1980). Their job is to implement the curriculum of the district in a manner that is consistent with school board and administrative preferences. These bureaucrats, to an extent, are selected on type based on their education and a certification process that further ensures that they do not change policy once in the classroom. But the nature of education production requires a high level of discretion in the classroom. This discretion is fundamental to the job. Their expertise lies in their ability (or preference) to give attention to particular children, track and grade students based on their expert judgment, and communicate with parents constantly (Meier and Sewart 1991). In a top-down world, teachers are selected on type, and constrained by the district to apply their discretion in a manner consistent with district policy.

This is not the only role of a teacher however. Like other bureaucrats these individuals have the opportunity to work, shirk, or sabotage the efforts of their superiors (Brehm and Gates 1997). Unlike the top-down perspective, a bottom-up frame stresses teachers' ability to influence policy churn (Hess 1999), set agendas (Chubb and Moe 1990), and use their discretion in a manner inconsistent with particular racial and ethnic clientele preferences (Meier and Stewart 1991). This capability is substantial, if not legendary, in the teaching profession. Given the high turnover rate of superintendents

(Hess 1999), the relative security of teaching jobs, and their sheer numbers, it is theoretically possible for these low-level bureaucrats to shirk and sabotage their way into selecting administrators they prefer.

Teacher interaction with the public is another potential source of influence. As voters in school board elections, teachers can serve as substantial cue-givers and even swing voters. Terry Moe is currently examining the considerable influence of the teachers' unions on electing candidates to office in California (Moe 2002). While Texas is a non-union state, it is still possible that organized and informed minority teachers could serve the same function in that state. If this group is unhappy with the policies of Anglo or Black administrators and school board officials, they have the opportunity to campaign for a public supported regime change.

The ambiguous nature of education outputs favors the teacher and administrator in this process. While they want to educate children, they also want to do it at lower personal costs for more pay, and will make sure that this becomes part of the information packet they provide to clientele (Chubb and Moe 1990; Hanushek 1998). Erik Hanushek, who studies the effects of class-size reduction on student outcomes, concludes, "In essence, nobody's job or economic rewards depend on what happens with student performance...One appeal of simple class size policies for many *current actors in the system* is that they maintain the existing structure of schools while simply adding more resources" (my emphasis; 1998, 35-36). Hanushek implies that the importance of class size to parents has more to do with the preferences of teachers rather than any real-world evidence of their effect on students. It is in light of this power that Latino teacher

influence on demographic changes to administrative and school board positions must be explored empirically.

Indeed, their influence may even extend to the rules of the game. Is it possible that minority teachers and administrators who are frustrated with a lack of representation on the school board might be able to change how these legislators are elected? This issue will be taken up in chapter five, however first we must understand how electoral changes occur more generally.

Local Election Institutions: The Influence of the Courts

The Voting Rights Act of 1965 (VRA) was a watershed event for Black civil rights. The legislation removed formal barriers to the voting booth, and stands out as one of the major federal policy shifts in American history. The VRA was targeted initially to Southern areas with a history of voter discrimination against African-Americans, providing substantial statutory relief for groups seeking electoral reform. In terms of electing Black leaders to local, state, and federal office, the VRA has been an unqualified success (its substantive participatory and policy effects are still being debated however), but Latinos were forced to wait for future legislation and the courts in order to reap the same benefits.

The variation in election rules under investigation here are tied directly to the VRA's history as it pertains to Latinos. De la Garza and DeSipio explain that Latinos (and other language minorities) were not considered a priority of the VRA until the 1975 extension (1997, 74). In fact, Latino input on the legislation was nonexistent until the

1982 extensions where Congress initiated the “effects” standard for proving discrimination (de la Garza and DeSipio 1997). This standard, a direct response to the Supreme Court’s “intent” precedent set forth in *City of Bolden v. Mobile* in 1980, made the process of pushing for electoral reform easier for minority groups (de la Garza and DeSipio 1997). In 1986, the Supreme Court supported the drawing of racially gerrymandered districts in *Thornberg v. Gingles* when a violation of section 2 of the VRA was found (de la Garza and DeSipio 1997; Epstein and O’Halloran 1999). This was seen as another victory for minority groups seeking redress at the polls.

Section 2 pertains to vote dilution rather than direct voter intimidation or vote denial, and has been the focus of litigation and legislation since the late seventies (Epstein and O’Halloran 1999). In *Thornberg v. Gingles* the Court stated that a violation of section 2 of the VRA occurred when “(1) the minority group in question is ‘sufficiently large and geographically compact to constitute a majority of a single member district’; (2) the minority group is ‘politically cohesive’; and (3) the white majority votes ‘sufficiently as a bloc to enable it...usually to defeat the minority’s preferred candidate’” (Epstein and O’Halloran 1999, 368). With these guidelines in hand, cartographers went to work to create and redraw district lines, with the full support of the federal government and courts (Behr 2004, 34)

The *Thornberg v. Gingles* guidelines were valuable to local level reform in the 1980’s and early 1990’s, when changes from at-large to single-member ward elections flourished (Behr 2004, 34). The effect of this and other court decisions placed heavy burdens on the election district, as many lawsuits were settled out of court and many

jurisdictions switched from at-large to ward systems in anticipation of costly (and apparently fruitless from their standpoint) legal battles (Behr 2004, 34-36). The combination of section 2 (coverage), section 5 (pre-clearance), and the 1990 census created an environment where Latino interests finally had substantial influence on the choice of election structure at the local level.

The mid-nineties changed this environment drastically. A series of court decisions deemphasized the use of race and ethnicity in the process of creating single-member districts (Behr 2004; Brockington et al. 1998; Cameron et al 1996; Hill 1995). *Shaw v. Reno* (1993) and *Miller and Johnson* (1995) addressed the strangely shaped districts created to ensure minorities their “candidate of choice” (Epstein and O’Halloran 1999) and the use of race as the primary factor in this decision, respectively (Brockington et al. 1998). *Shaw v. Hunt* (1996), and *Bush v. Vera* (1996) further delegitimized the purely racial nature of electoral manipulation by finding different redistricting plans in violation of the equal protection clause (Brockington et al. 1998, 1109). The stream of change from at-large to single member districts during the 70’s, 80’s, and early 90’s lost momentum, and this de facto moratorium continues to the present day.

The exact nature of local electoral variation will be discussed in chapters four and five, but there are a few remaining institutional factors that require attention. For the most part, local school board elections are nonpartisan affairs, denying citizens a valuable cue in the voting process (Behr 2004, 37; Davidson and Korbel 1981). The lack of this voting cue is extremely relevant for the theoretical story of minority political

influence. In this environment voters are more likely to rely on racial and ethnic cues for candidate information (Squire and Smith 1988). In addition to this, the overall paucity of information is more likely to affect low resource groups like Latinos and Blacks (Davidson and Korbel 1981; Leighley 2001). With this in mind, school district elections, after controlling for other factors, should show greater signs of racial and ethnic voting than in city council, state, and federal elections. Also, in these elections cue-givers become very important, as they attempt to fill in the gap left by parties. There is certainly more room for bureaucrats to play a larger role in this process than in other policy areas.

Lastly, school board elections are notorious for being low-turnout affairs (Tucker and Zeigler 1980). Given the lower proportion of Black and Latino turnout in general, the influence of their community population may be depleted because of the increased information costs of participating. Again, because of this, there is substantial room for interested stakeholders to have a greater impact here than in other elections. Groups like teachers may be significantly outnumbered in a general election, but in school board elections, they make up a large part of the electorate (*Catalyst* 1998).

The education system in the United States is in many ways the perfect arena for testing competing models of minority policy influence. While it is possible that some of the results observed in this policy space may not be generalizable to other levels of government or other policies, the theoretical story explains exactly why that is the case. By stipulating what institutional factors play a role, and exactly how they contribute to the observed outcomes, the present research goes a long way towards bridging the divide

between research of minorities in education and studies of minority representation at other levels of government.

Describing the Data

The data I use to analyze the school systems center around two samples. The main analysis takes place in Texas, using all school districts in the state that elect their school boards from at-large and single-member districts (1013 of 1043, or 97% of the districts in Texas).¹⁶ The initial sample comes from a 1999 district survey which asked questions about the race and ethnicity of the district's school board members, administrators, teachers, and students, as well as the election method used by the district. This sample is supplemented with 2000 Census data, slightly reducing the number of usable observations to about 1000 (Census 2000). The Census variables include the percentage of Latinos in the population, the percentage of Latinos who have at least a high school degree, the percentage of non-citizens in the district, and the percentage of Latinos below poverty.

I am interested in testing the models outside of Texas as well, to broaden the scope of the investigation to different contexts. I do this using a national sample of all school districts in the United States with more than 5,000 students. The national survey was similar to the original Texas survey, requesting information about school board election structures, school board, administrator, teacher, and student ethnicity. The original survey was conducted in the summer of 2001 by members of the Texas

¹⁶ The remaining Texas school boards are either appointed or use cumulative voting procedures.

Educational Excellence Project at Texas A&M University. The first three waves were sent by mail, and after these initial efforts I helped contact the remaining districts by phone, and then eventually by email.¹⁷ The typical survey phone respondent (and presumably mail respondents as well) was the school board secretary or another district administrator. These individuals were usually forthcoming and knowledgeable about the requested information, but in some cases the questions needed to be explained further, and in even fewer cases a reluctant respondent was reminded of the public nature of the data. Of the 1,831 districts, 1,751 provided data on school boards (95.6%) and 1621 (88.5%) on teachers and administrators. Survey respondents were not statistically different from the universe of school districts in the United States in terms of census characteristics such as ethnicity. The actual number of observations in the regression analysis is somewhat lower due to missing census data. I supplement these survey data with the same census data used in the Texas sample. While the national sample contains some Texas districts from 2001 (146 Texas school districts), the two datasets are almost completely exclusive of one another and provide an opportunity to test the models in multiple political and social environments. These cross-sectional datasets are used exclusively in chapter four.

In chapter five, I extend the cross-district study in Texas to incorporate changes over time. This dataset includes yearly observations from the 1993-94 school year to

¹⁷ The original paper surveys were conducted before my arrival at Texas A&M in the fall of 2001. I was immediately assigned to verifying and cleaning this original dataset, as well as implementing the phone and email waves, which were conducted with Miner Marchbanks III in the fall of 2001. The Texas Educational Excellence Project (TEEP) is overseen by Ken Meier, and has since been subsumed under the Project for Equity, Representation, and Governance (PERG).

the 2001-02 school year.¹⁸ Collecting these data was complicated and involved multiple sources. The Texas Education Agency (TEA) was the primary source of teacher, administrator, and student ethnicity data for each year. The National Association of Latino Elected Officials (NALEO)¹⁹ provided the Latino school board representation data for the years 1993-2001. Because these data are based on the ability of NALEO to locate and track thousands of school board members in the United States across time, they were subjected to a strenuous verification process. They were first compared with the Texas survey data from 1999, and then compared with a Census of Government survey taken in 1992.

One other factor in the discussion of bureaucratic and representational effects over time involves institutional change. The changes from at-large to single-member wards in Texas involved pre-clearance from the U.S. Justice Department before implementing these new rules. I contacted the Justice Department and submitted a Freedom of Information Act (FOIA) request for this pre-clearance data. I received a hundred-page document that covered all Texas school district requests for rule changes during the 1990's. The information included the dates of different requests, the Justice Department's judgment concerning these requests, and the ultimate outcome of the federal role in this process ("no objection" or "request withdrawn" for example). I created a variable that marks the first election in the school district after Justice Department clearance. This dummy variable presents an extremely valuable tool in

¹⁸ My labeling convention follows that of the TEA. The "year" indicates the beginning of the school year (1993 for the 93-94 school year and so on).

¹⁹ NALEO now goes by the name, "National Association of Latino Elected and Appointed Officials Education Fund."

distinguishing what factors lead to rule changes in some districts and not others. I discuss this variable further in chapter five.

Finally, I combine these panel data with census data from 1990 and 2000 regarding the percentage of Latinos in the population, the percent non-citizens in the district, the percentage of Latino high school graduates, and the percentage of Latinos below the poverty line. These data are critical to the cross-sectional analyses, as well as some of the cross-time analyses I perform, however they are limited in their use from year to year. That is, the nature of the census at the school district level does not allow for iteration across yearly units for the variables of interest. I deal with these issues in chapter five.

Figure 3.1 presents some descriptive statistics for the 1999 Texas sample of school districts using election structure as a way to divide the sample. The main variables of interest are percent Latino population in the school district, percent Latino student population, percentage of the school board that is Latino, percent Latino administrators in the district (superintendents, principals, assistant principals, and central staff), and percent Latino teachers in the district.²⁰

A number of features in the Texas sample stand out. First, there is a substantial discrepancy between the percentage of Latino clientele (overall population and students), and the percentage of legislative and bureaucratic representation. While this is expected given this group's historical hurdles, the size of the under-representation is nonetheless

²⁰ The number of observations in each group varies slightly due to missing data. The N's for figures 1 and 3 are based on the Latino school board representation, the N's for figure 2 and 4 are based on population numbers (these variables were chosen to reflect the way the samples were split).

Figure 3.1: Latinos in the Texas Sample: Structural Differences

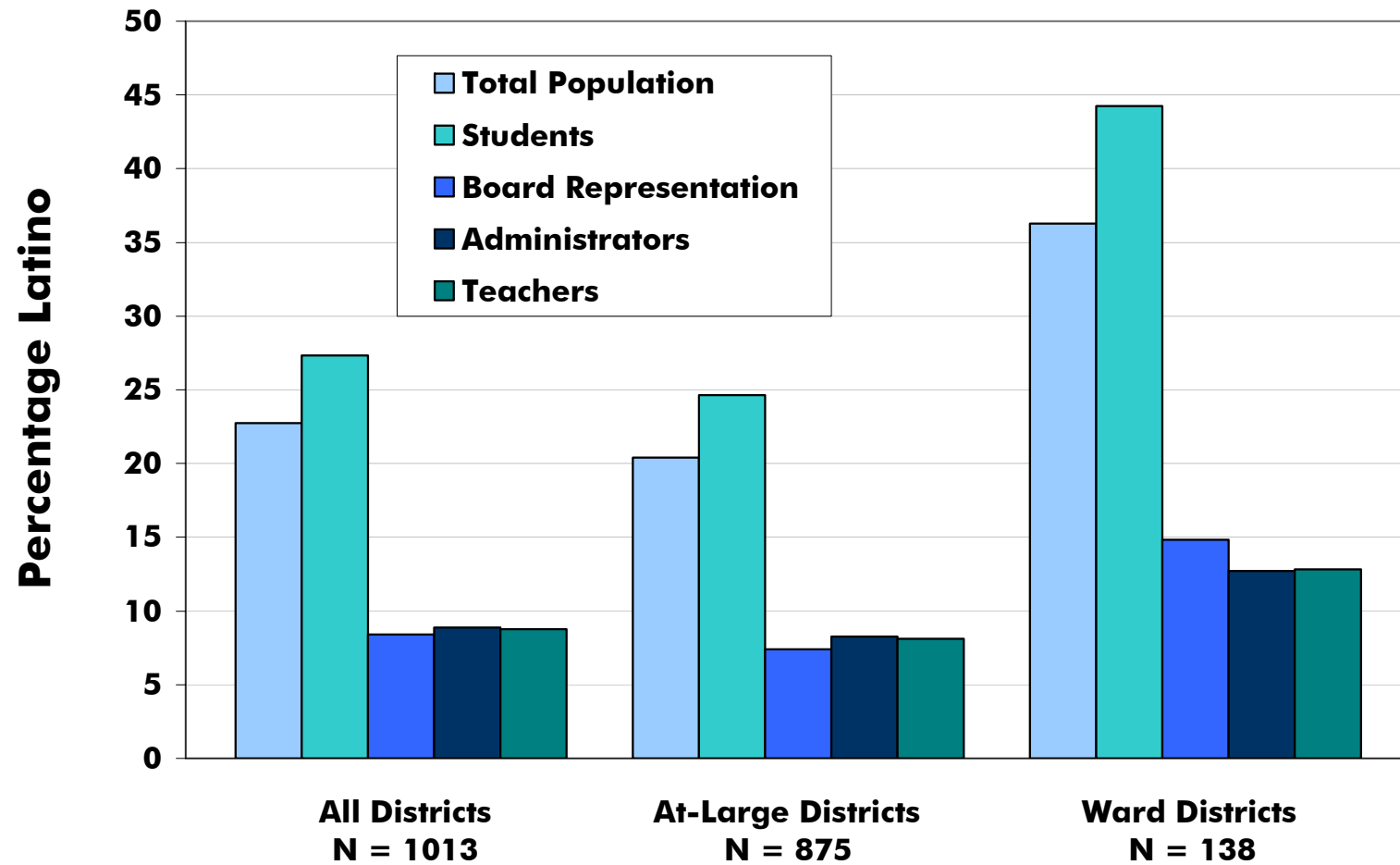
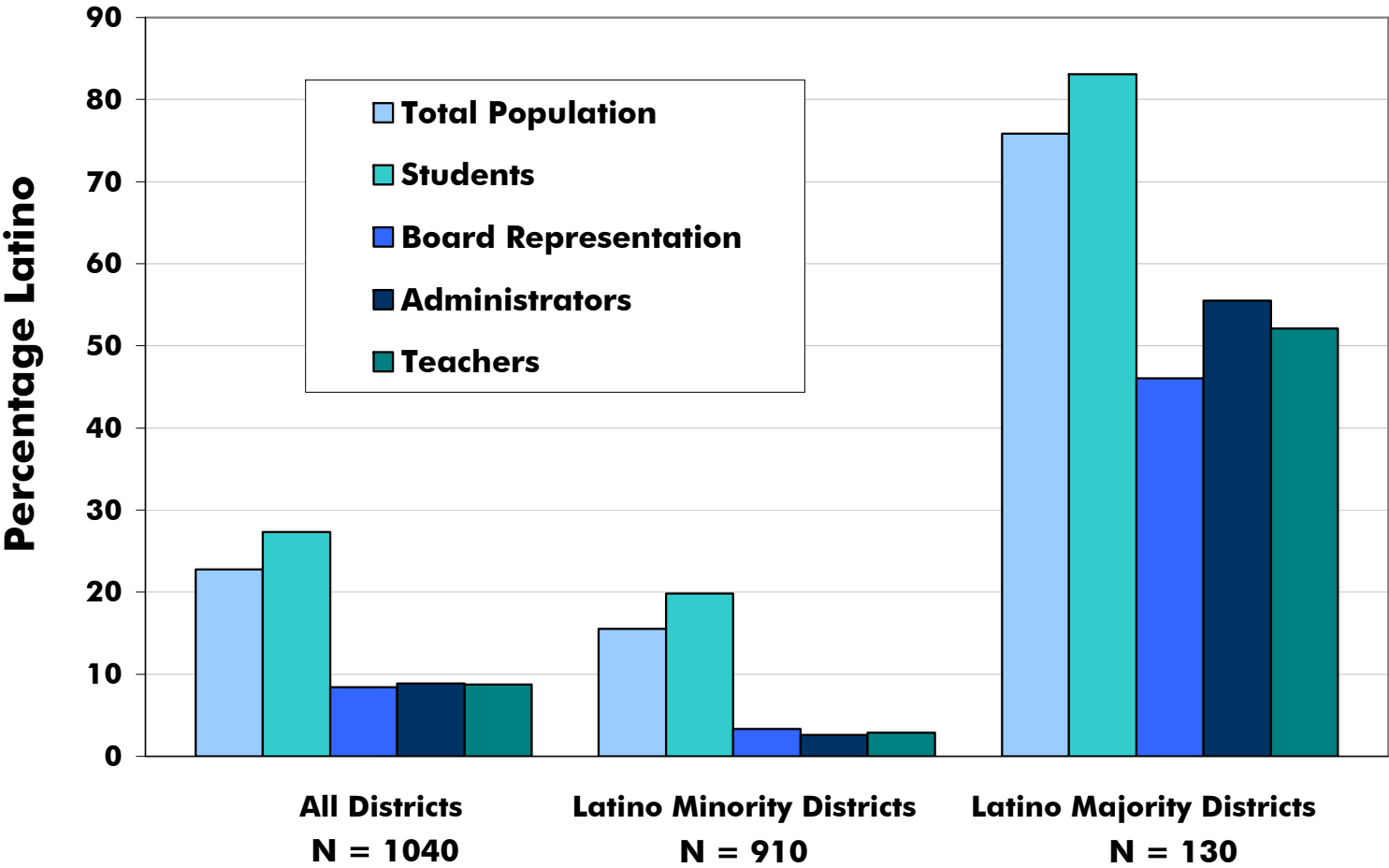


Figure 3.2: Latinos in the Texas Sample: Population Differences



stunning. Second, there is a great deal of consistency between legislative and bureaucratic representation. At first glance it appears that the fates of Latino board members, upper level managers, and street level bureaucrats are tied together. Thirdly, there is evidence of a large young Latino population. As we will see in the other figures, these samples are reflective of census data showing Latinos to be a larger percentage of school-age children than the population at large.

Is it useful to cut the data using election structure as our knife? Without controlling for other factors, there is still some evidence that representation at all levels is greater in school districts using wards than those using at-large rules. School board representation almost doubles and bureaucratic representation increases by about 50 percent. This result, however, is tempered by the fact that overall Latino population and the Latino student population also increase by roughly 60 percent. That is, perhaps the descriptive representation in the legislature and in the bureaucracy is simply due to the fact that there are more Latinos in these districts (and that wards may be implemented in districts with more Latinos in them). These data suggest a potentially endogenous process, and one with a high level of collinearity between the relevant indicators.

Perhaps instead of electoral structure, it is more useful to examine the data in terms of majority and minority politics. Figure 3.2 presents the results of this procedure and demonstrates some expected relationships. In Latino minority districts legislative and bureaucratic representation drops substantially, and in Latino majority districts this trend is reversed. While under-representation is still present in Latino majority districts, it appears as though majoritarian politics has an influence on school board, managerial,

and teaching jobs. Again, this is not unexpected, but it highlights the need to account for minority and majority populations in the analyses that follow. As will be demonstrated more rigorously in chapters four and five, this is not simply a population induced phenomenon, there is something specific and dominant about majority status in the election district.

Do these relationships describe the national sample as well? To some extent they do, however there are some interesting differences to note. Figure 3.3 demonstrates that the differences between at-large and ward districts are not nearly as drastic in the national sample as they are in the Texas sample. This is expected for a couple of reasons. First, the induced structural changes are motivated by Voting Rights Act provisions put in place to protect (originally) Blacks (de la Garza and De Sipio 1997). In Texas, the main minority group is Latino and thus differences in Latino population would be reflected in the structural variation. Outside of Texas and California this is probably not the case. Secondly, if we look at figure 3.3 and 3.4 together, we see that majority status indicates average population differences extremely well in the national sample. This difference is expected of course, but the comparative magnitude measured against the Texas sample in figure 3.2 suggests that Latinos are more residentially concentrated in the national sample than in Texas. Latino majorities in the national sample are super-majorities. Conversely, Latino minority districts in the Texas sample are have a fairly sizable Latino population, and their Latino clientele are less concentrated in urban school districts.

Figure 3.3: Latinos in the National Sample: Structural Differences

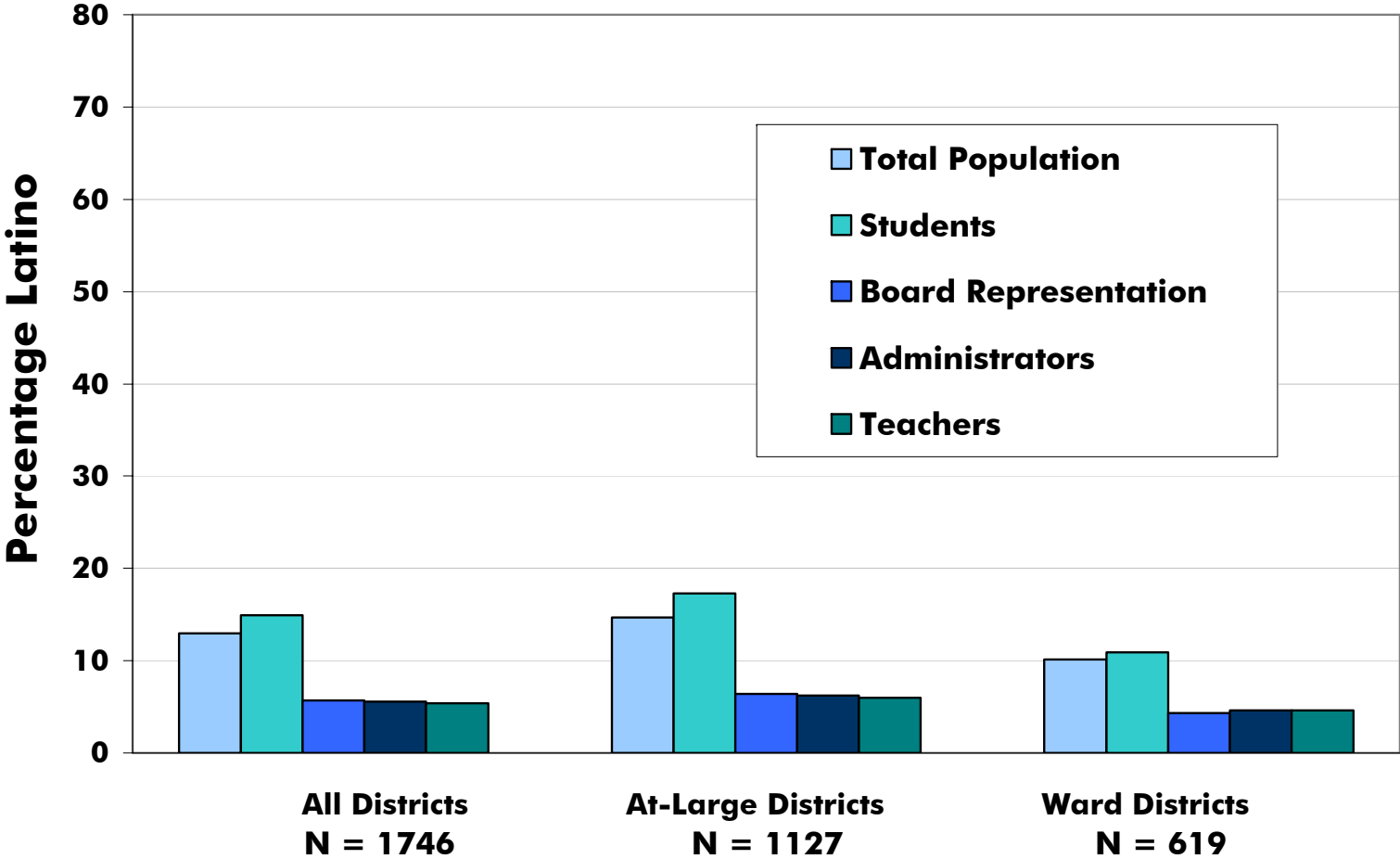
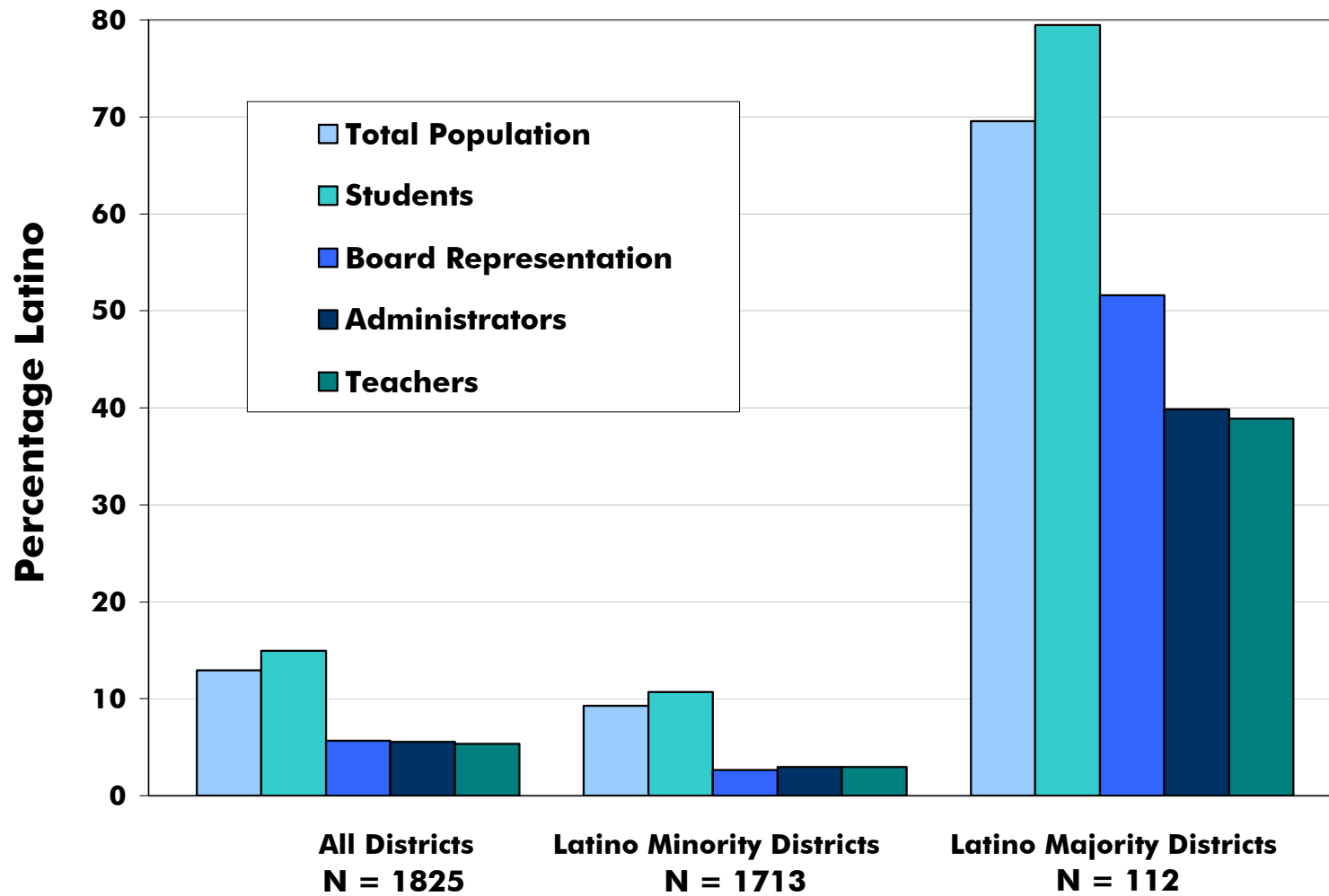


Figure 3.4: Latinos in the National Sample: Population Differences



Other features of the national sample stand out and require comment. First, Latino legislative and bureaucratic representation is lower in ward districts than in at-large ones in the absence of formal control variables (although the difference is minimal). This differs from the Texas sample. Second, in every iteration Latinos make up a larger percentage of the student population than the overall population, a pattern consistent with Texas and reflective of the growing Latino population nationwide. Lastly, we again see the powerful impact of majority status on Latino legislative and bureaucratic representation. The surprising size of the difference in all of the variables demonstrates the necessity of looking at these two sub-samples separately. Majority politics and minority politics may interact with structure and representation in completely different ways (Davidson and Korbel 1981). Further information about the datasets is available in the appendices, and I will detail the data further in chapters four and five.

CHAPTER IV

ELECTORAL BIAS AND LEGISLATIVE CONTROL

In this chapter, I develop the theory from the preceding sections into testable hypotheses, and analyze them empirically using national and (separately) Texas samples of school districts in the United States. I am particularly interested in examining the top-down model of political control, specifically minority representation and the institutional electoral influence on the behavior of these representatives. That is, what structural and legislative representational factors are associated with responsive organizational outcomes that favor Latinos? I make an explicit institutional argument in favor of increased policy outcomes, using the formal logic of the median voter theorem to motivate my hypothesis construction. These hypotheses stipulate that ward structures have a positive influence on getting minorities elected, and create incentives for ward officials to provide benefits to their minority constituency after they take office. I present findings from the national and Texas samples simultaneously and compare the results. These samples include at-large and ward elected officials along with both minority/majority Latino populations, showing support for a theory of “minority” politics, not a particular Latino version.

I begin by reiterating a broad top-down theoretical model of local education policy. This perspective emphasizes the exogenous nature of election rules, which contributes to variable Latino descriptive representation on the school board. I continue by explaining the delegation of various types of bureaucratic agents based on electoral constraints, including superintendents, principals, assistant principals, and teachers. The

delegation of discretion to different agents is explained in substantive terms, and I continue by explaining the impact of these delegation decisions on a variety of Latino student outcomes. This causal chain is examined step by step, controlling for other plausible factors, presenting both the direct and indirect influence of election structures on every phase of the local policy system.

The evidence presented in this chapter is broad and generalizable, but is also limited for a number of reasons. Ideally, the direct measurement of political control relationships would entail calculating the preferences of the public, their representatives, and those of the bureaucracy. It would also necessarily include measuring, on a corresponding scale, the statutory policies enacted by the legislative body. Because of a lack of data on these components for a large number of observations at the local level, I am forced to make a trade-off between precision and generalizability. Therefore, I use ethnicity as a differential preference indicator, and policy outputs and outcomes in place of statutory objectives. I explain why I make these decisions, and how the measures still provide provocative (if indirect) evidence in support of political control models. In the concluding chapter I explain that the next step in this research program is to collect and analyze each of these actors' preferences, and describe how these data would provide greater leverage on questions of legislative and bureaucratic representation at the local level.

Structural Variation and Legislative Representation

The key to the story so far is that the top-down perspective is the most useful for

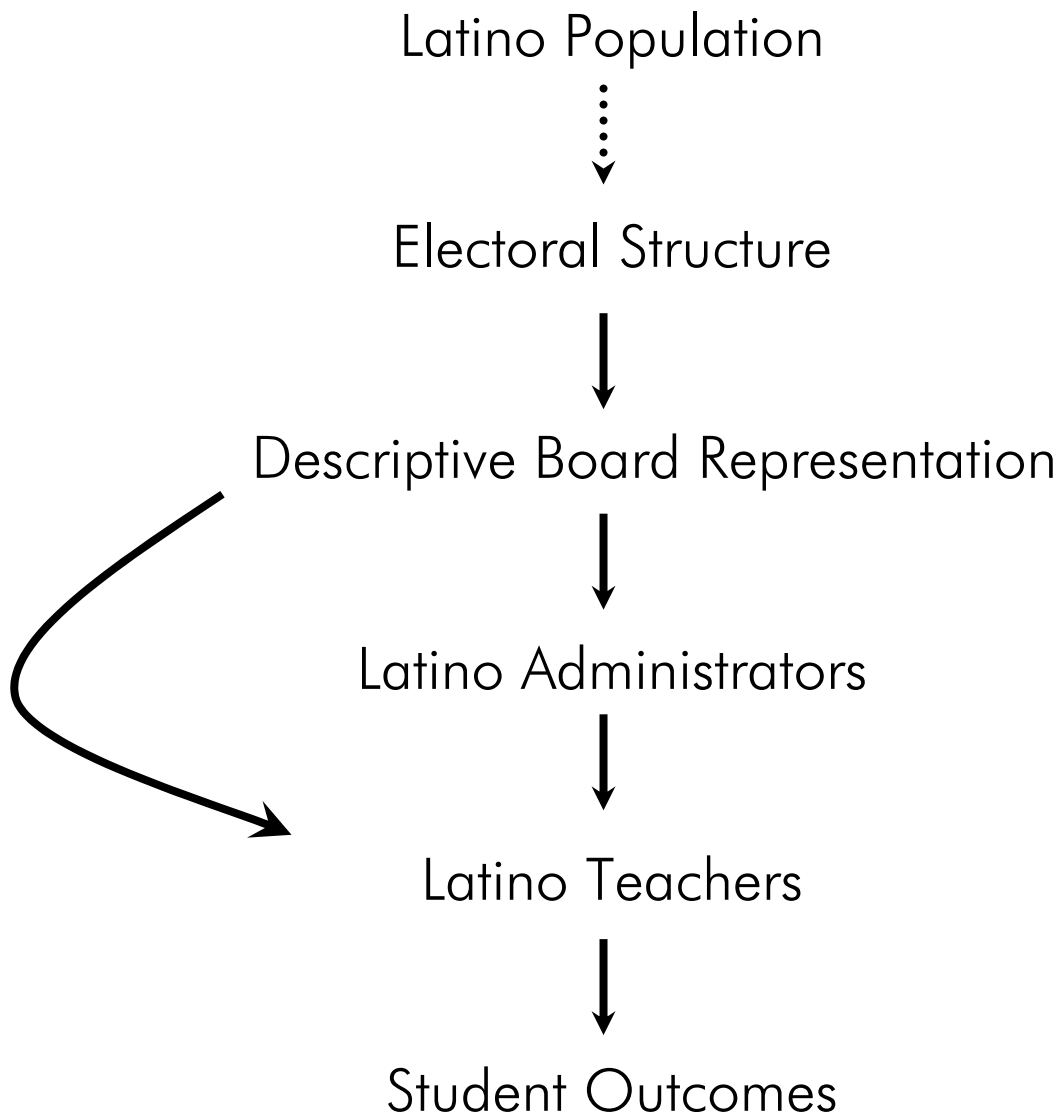
describing how institutions affect policy change. In a representative democracy, the people (voters and non-voters) begin the causal chain, and preference differences are necessarily associated with policy differences. These preference differences are translated into representation through a variety of election structures, producing predictable outcomes. Moreover, once in office, legislators face various constituency constraints (based on election rules) that alter their policy decisions, leading to diverse results.

This chain of events is presented for Latinos in the local education system in figure 4.1. The model illustrates that areas with more Latinos will have more descriptive representation on the school board, but that this relationship is moderated by the electoral rules, finally producing higher levels of Latino bureaucratic representation and better student outcomes in some systems. In this section I explain how electoral rules directly affect descriptive representation.

The two most widely used legislative selection mechanisms in the United States are at-large and single-member district elections. At-large systems use a single geographic area to include all voters for all seats to a legislative body, while single-member district (or “ward”) systems divide a geographic area into separate wards that each select only one member to the legislative body. These systems have been studied extensively at the federal, state, and local levels, but the underpinning constraints they produce on candidates and officeholders is typically assumed and not formalized.

Why might one expect descriptive representation to vary with the electoral structure? More specifically, why would Latino voters who want to elect a Latino

Figure 4.1: “Top-Down” Political Control



representative fare better under ward rules rather than at-large ones? The formal story rests on three general assumptions:

Assumption 1. Voters are rational and will vote for candidates most likely to represent their interests.

Assumption 2. Candidates are rational and, therefore, will seek to satisfy constituency interests (either because they seek reelection for its own sake or seek reelection to pursue policy goals).

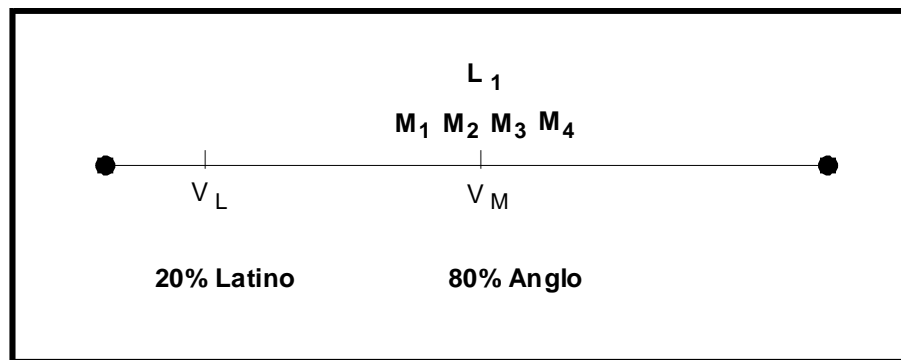
Assumption 3. In the absence of partisan information, ethnicity is a critical election cue for voters.²¹

Given these assumptions, we can work out a general model of what happens in each type of election in a school district with a minority of Latinos (under 50 percent). The situation is shown spatially in figure 4.2a for a jurisdiction that is 80% Anglo and 20% Latino (the logic works for other percentages, but the illustrations are more obvious in this case). The policy space is uni-dimensional, but represents the preference differences between Anglos and Latinos on a variety of educational issues regarding funding, curriculum, hiring, and outcomes. While I have drawn figure 4.2a to show Latinos with relatively extreme views, the logic works as long as the median Latino voter V_L is different from the median voter V_M .

To illustrate, consider a five member school board all elected at-large. In such a situation, candidates will position themselves at the median voter V_M so that no

²¹ The idea of descriptive representation rests on the assumption that voters are polarized by race and use it as a cue to select representatives. Eisinger (1982) explains that black voters have good reasons to select black candidates to represent them. He finds that the presence of a black mayor has an impact on the percentage of black administrators and professionals in the city (Eisinger 1982). Karnig and Welch (1980) also find that mayoral representation increases social spending on “black” policy issues, although like Eisinger, they can make no such claims about city council representation. Thus, crossover voting by black voters (choosing Anglo representatives when a Black candidate is available) in many circumstances makes little sense, and is not the observed pattern in most elections (Bullock 1984).

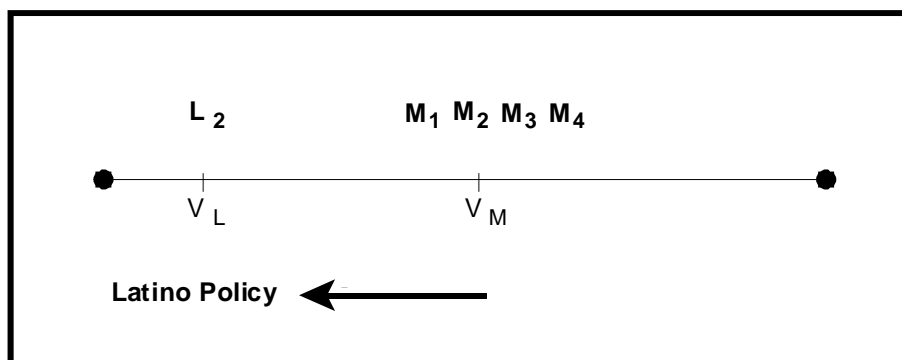
Figure 4.2a: The Pure At-Large System



L_1 – Latino school board member
 M_{1-4} – Non-Latino school board members

V_M – Median district voter
 V_L – Median Latino voter

Figure 4.2b: The Ward System Creates a Latino Policy Shift



L_1 – Latino school board member
 M_{1-4} – Non-Latino school board members

V_M – Median district voter
 V_L – Median Latino ward voter

challenger can locate a policy position that can attract a majority of the votes. In a traditional at-large system where voters get one vote per position, all candidates face the same electorate. Because the median is well within the Anglo portion of the electorate, Latino candidates face a daunting challenge. They must either try to capture a seat by appealing to the median Anglo voter, or risk losing the majority of votes by courting the minority Latino constituency. Based on assumptions one through three, Latino candidates will be unable to overcome these constraints, and Anglos will capture all five seats.²²

Moving the identical set of circumstances to a single-member district system changes the calculus (see figure 4.2b)²³. If we assume that electoral districts are not created to be exact microcosms of the entire jurisdiction, then the median voters in each of the five electoral districts is not the same as the median voter in the overall jurisdiction. If Latinos are mostly gerrymandered into a single district, then the median voter in that district (V_L) is the optimal candidate position in that district. In fact, if Latinos compose a majority of the electorate in any one of the wards, then the median voter in that ward is Latino, and a Latino is therefore more likely to be elected to the school board. This process suggests the following hypothesis:

H₁ In Latino *minority* districts, ward-based systems will be associated with a higher percentage of Latino school board members than at-large systems, as the percentage of Latinos in the district increases.

²² To the extent that any one of these assumptions is relaxed, Latinos are expected to gain elective office in at-large systems, but the closer these assumptions come to being “always true,” the more likely it is expected that the models will produce the predicted outcomes. We know that Latinos get elected at-large to school boards in districts where they are the minority, but the tradeoffs they make in order to do so leads into the discussion of variations in substantive representation.

²³ Thanks to Gary Segura for his suggestions regarding this formal picture.

Using the same logic, when Latinos are a majority in the school district, they are able to exploit the at-large system in the same way Anglo majorities do, suggesting that the benefits of ward elections disappear. This promotes a second hypothesis:

H₂ In Latino *majority* districts, ward-based systems will be associated with the same percentage of Latino school board members than at-large systems, as the percentage of Latinos in the district increases.

Thus, local elections (in Latino minority school districts) that use ward systems should be associated with higher levels of descriptive representation for Latinos. But the more interesting question is what happens to these representatives once they get into office. That is, does the electoral system constrain behavior in a predictable fashion? There are two possible outcomes to the use of wards to select legislators. The first, presented in figure 4.2b, is that policy will shift towards Latino preferences, reflecting the presence of new representation on the school board. This shift occurs because the Latino legislator is constrained to (or prefers to) cater to the wishes of her Latino constituency, and uses her position on the small board to create space for Latino issues. The Latino elected in an at-large system (L_1 in figure 4.2a) must moderate his or her push for Latino benefits to avoid alienating the median voter who is not Latino, but L_2 faces no such constraint and can push for policies that reflect V_L , the median of the Latino community. This is the essence of substantive representation based on descriptive minority victories from gerrymandered regions.

A second, and contrary, outcome of descriptive representation arises because of the nature of gerrymandered wards (see figure 4.2c). By consolidating the Latino population into specific wards, the electoral system may create a corresponding shift

towards Anglo policy, as the other members of the board become less concerned with Latino voters who are no longer in their constituency. Just like Latinos, Anglos in other wards may have preferences that deviate considerably from the median voter. If more Anglo-centric candidates win seats in these wards, the outcome of the election may actually substantively disenfranchise Latino interests even further. This is a potential risk of changing from at-large to ward based systems, and is the subject of much debate in the federal single-member district literature (see discussion of evidence below). It also presents an opportunity to test the competing hypotheses at the level of the local education organization with the following:

H_{3(null)} In Latino minority districts, Latino school board members in ward systems will be associated with the *same* percentage of Latino administrators than will Latino representatives in at-large systems.

H_{3a} In Latino minority districts, Latino school board members in ward systems will be associated with the presence of *more* Latino administrators than will Latino representatives in at-large systems (figure 4.2b).

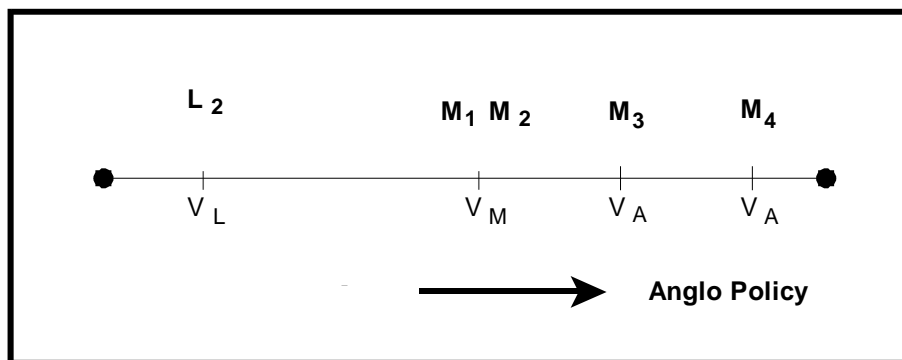
H_{3b} In Latino minority districts, Latino school board members in ward systems will be associated with the presence of *fewer* Latino administrators than will Latino representatives in at-large systems (figure 4.2c).

H_{4(null)} In Latino minority districts, Latino school board members in ward systems will be associated with the *same* percentage of Latino teachers than will Latino representatives in at-large systems.

H_{4a} In Latino minority districts, Latino school board members in ward systems will be associated with the presence of *more* Latino teachers than will Latino representatives in at-large systems (figure 4.2b).

H_{4b} In Latino minority districts, Latino school board members in ward systems will be associated with the presence of *fewer* Latino teachers than will Latino representatives in at-large systems (figure 4.2c).

Figure 4.2c: The Ward System Creates Anglo Policy Shift



L_1 – Latino school board member

M_{1-4} – Non-Latino school board members

V_M – Median district voter

V_L – Median Latino ward voter

V_A – Median Anglo ward voter

Finally, we want to examine the role of Latino majority status in the school district and how it interacts with these structures in substantive terms. Like the descriptive story, it is expected that when Latinos make up a majority of the school district's population, they no longer need the benefits of wards to translate their preferences into policy. In fact, they may even be hindered by these rules, as non-Latino groups take advantage of them to mitigate the importance of Latino issues. Thus, in Latino majority districts we would expect relationships similar to those made explicit in $H_{3(\text{null})}$ and $H_{4(\text{null})}$. That is, in *Latino majority school districts*:

H_5 Latino school board members in ward systems will be associated with the same percentage of Latino administrators than will Latino representatives in at-large systems.

H_6 Latino school board members in ward systems will be associated with the same percentage of Latino teachers than will Latino representatives in at-large systems.

Evidence at Multiple Levels of Government

These theoretical relationships have been studied for decades, but they have rarely been placed in a formal context. Also, even though the influences of electoral structure have been studied at multiple levels of government, they have not been tied together under one general framework. The argument at the federal level is about where to draw single-member district lines, and finding what percentage of the minority population would benefit ward inhabitants most substantively; the debate about whether single-member district elections produce more minority descriptive representation in the U.S. Congress is settled (compare at-large Senate elections to ward based House

elections).

Federal level studies, however, are still pertinent to the local level discussion for two main reasons. First, the focus at the federal level is explicitly linked to the competing hypotheses obtained from figures 4.2a and 4.2b. That is, every single federal level study in this area is concerned with whether minority policies are harmed or helped by drawing minority gerrymandered districts. Second, the substantive differences between federal (and state) and local level processes can be attributed to a number of specific institutional factors, rather than treating the relationships at these levels of government as fundamentally dissimilar.

Federal and state level studies of minority descriptive and substantive outcomes exploded in the early 1990's as state legislatures began to re-draw congressional districts following the census. The main question concerned tradeoffs between descriptive and substantive representation of minorities in the House due to the prescription of majority-minority districts (Swain 1993). Carol Swain (1993) claims that the amount of descriptive gains from the creation of majority-minority districts has reached its limit, and that if minorities want to perform better in the electoral arena, they need to spread their influence by mixing their majority-minority districts into majority Anglo districts. This likely leads to less descriptive representation, but would foster long-term coalition building and more substantive representation among Anglo representatives (Swain 1993).

A number of scholars rigorously test Swain's general argument and find that for the most part, she is correct. Overby and Cosgrove (1996) look at the impact of

redistricting on Anglo representatives' support of Black policy and find that Anglo House members who lost Black constituents in the early 1990's voted less often for Black policies than they did prior to redistricting. This made members who lost Black constituents more "Anglo-oriented" as suggested above in figure 4.2c.

Cameron et al. (1996) examine a number of hypotheses about policy shifts due to redistricting and find that, in fact, most majority-minority congressional districts are too concentrated with minority voters. The authors examine the effects of redistricting on both descriptive and substantive representation of Blacks in the U.S. House, and find descriptive benefits and substantive costs as Swain predicted (Cameron et al. 1996). Cameron et al. (1996) produce simulation evidence that supports Swain's prescription for reducing Black voter concentration in favor of diffusing this group's support among many districts to achieve long-term policy benefits.²⁴

Kevin Hill (1995) introduces empirical evidence on the partisan effects of redistricting. He has three main findings. First, he examines the 1992 House elections and concludes that Republicans actually benefited from the majority-minority districts created by Democrat-controlled state legislatures (Hill 1995). Second, Hill looks at what would have happened in 1992 had redistricting not occurred. He finds that Republicans would have still picked up seats in 1992, but that they would not have won as many as they did, and that this difference could be explicitly traced to the concentration of Black Democrats into already strongly Democratic areas (diluting their influence elsewhere;

²⁴ Indeed, the authors provide a "formula" for state legislatures and scholars to use for calculating the trade-offs between descriptive and substantive representation given a particular percentage of Black voters in the congressional district (Cameron et al. 1996, 808). Depending on what outcomes one prefers, the formula provides the optimal redistricting strategy.

Hill 1995). Lastly, Hill estimates the outcomes of the 1994 elections (which had yet to take place when the article was written), and predicts even more Republican gains in the House due to redistricting, a historical event that did in fact occur (1995).

The evidence on partisan effects is considerably important in linking the federal and local level structures into one coherent model. In most local elections, and particularly in school board elections, party cues are not available to voters, making them more likely to rely on ethnic cues (Lieske and Hillard 1984; Pomper 1966, 95-96; Squire and Smith 1988). It also makes the drawing of ward lines less partisan, but based more on race and ethnicity as was discussed in chapter 3 (Behr 2004). More generally however, it formalizes the features of each level of government's legislative and electoral system that speak to why we would expect the outcomes in figure 4.2b at the local level, even if we observe outcomes similar to figure 4.2c at the federal and state levels.

At the local school board level, not only are partisan cues absent in most elections, but a number of other factors makes these legislative bodies different from their federal counterparts. Legislative size is particularly relevant in increasing each member's influence on the outcomes of local policy. The smaller size of school boards (generally five to seven members) makes the presence of one minority member much more pivotal in pushing for benefits, building coalitions, and casting deciding votes. On top of this, the legislative mandate of school boards is much more focused than that of state or federal representatives, creating uni-dimensional policy spaces with which to judge outcomes and hold legislators responsible.

The final and most important factors at the local level are the electoral rules. Unlike federal and state elections, local elections are still differentiated by at-large and ward designs (and to a much lesser extent appointments). Scholars are still interested in the impact of these structures because of their variable use across the country, and because their substantive effects are still largely unknown.

The battle over at-large and ward electoral arrangements at the local level has almost always included racial and ethnic aspects. Davidson and Korbel (1981) present historical evidence showing that at-large arrangements were a progressive response to ethnic ward politics in the first half of the twentieth century. The shift to at-large elections in large cities in the north and in the south was a response to “the inferior moral fiber of the foreign-born and lower-class electorates and their representatives” (Holli, quoted in Davidson and Korbel 1981, 985), in addition to the advent of the city-manager and a reduction in the size of the city council.

Given that at-large rules were purposefully implemented in many cities to reduce minority interests, it is no surprise that the empirical evidence supports their success (at least in descriptive terms). For Blacks, aside from a few studies (Cole 1974; MacManus 1978; Welch and Karnig 1978)²⁵, the data provide strong and consistent support for the hypothesis that ward elections have been largely responsible for descriptive representation gains on city councils (Engstrom and McDonald 1981; Karnig 1976; Karnig 1980; Karnig and Welch 1978, 1982; Robinson and Dye 1978; Taebel 1978).

²⁵ The problems with MacManus’ study are well known, and Welch has since downplayed the results of this one study in favor of a large amount of evidence she has discovered to the contrary (see Davidson and Korbel 1981, 996-997).

The evidence for Latinos is less clear. In a study of city council representation, Taebel (1978) found that Hispanics gained only marginal benefits from ward elections. He conjectured that the reason for this was that residential segregation was not as prevalent for Hispanics as it was for Blacks (Taebel 1978). Susan Welch (1990), using a national sample of city councils from large U.S. cities, concluded that Hispanics gained almost nothing due to structural variation. Brischetto et al. (1994) similarly found that Latinos achieve little relative to blacks when electoral structures are manipulated; rather, Latino population size has a greater impact on political gains. Adams (2000) discovered highly mixed results for Latino representation based on case studies of eight cities and four unified school systems that switched from multimember or at-large districts to single-member districts. More recent national findings, however, suggest that Latinos are aided significantly by a change from at-large to district elections, and also by appointed selection (Leal et al. 2002; Lublin 1997).

Two issues arise out of the preceding sections. First, Swain (1993) presents a trade-off between descriptive and substantive representation that may keep minority interests from being served. If this is true, then local Black and Latino representatives full of good intentions and supported by a large (ward) constituency will fail to live up to their promises in office due to their diluted influence in the political arena. Second, manipulating the electoral system may inadvertently create more racial polarization among voters, and in turn create minority candidates who must behave differently (support majority policy preferences) if elected or appointed outside of racially gerrymandered wards.

At the level of the school board, there is very little work dealing with substantive representation, but the little evidence that exists appears to support positive outcomes in association with ward structures and descriptive representation. Stewart et al. (1989) test this theory using a national sample of black school board members and affirm that single member structures create more opportunity for Black representation, and that this representation translates into more black administrative and teaching positions. Meier and Stewart (1991) produce the most thorough evidence yet of substantive educative outcomes (using a number of different indicators) due to structural variation. Their evidence is important for this study because it focuses on Latinos and it specifically examines school boards (Meier and Stewart 1991). Leal et al. (2002) find a similar relationship for Latino school board members, administrators, and teachers using a more recent national survey.

Thus far I have presented a large amount of seemingly contradictory evidence concerning substantive minority representation (contingent on the level of analysis). By examining different electoral structures in a variety of settings and looking at Latino substantive outcomes, this paper will contribute quantitative evidence that should help clarify the debate.

Data Analysis and Results

The data on the national and Texas samples of school boards are described in detail in chapter three. Briefly, however, the data for this chapter come from three sources. For the national sample, information on school board election structures, school

board ethnicity, administrator ethnicity, teacher ethnicity, and student ethnicity come from a survey of all school districts with more than 5,000 students. The original survey was conducted in the summer of 2001 by the Texas Educational Excellence Project at Texas A&M University. Of the 1,831 districts, 1,751 provided data on school boards (95.6%) and 1621 (88.5%) on teachers and administrators. Survey respondents were not statistically different from the universe of school districts in the United States in terms of census characteristics such as ethnicity. The actual number of observations in the regression analysis are somewhat lower due to missing data. I supplement these survey data with Census data concerning the percentage of Latino non-citizens in the district, the percentage of Latinos in poverty, and the percentage of Latinos with a high school diploma. Lastly, the Texas sample comes from a 1999 survey that was similar in nature to the national survey except that it captured all Texas school districts that used at-large or ward elections to select their school boards (1013 of 1043, or 97% of the districts in Texas).²⁶ This sample is also supplemented with Census data, slightly reducing the number of usable observations to about 1000 (Census 2000).

I analyze the data in two ways. First, I use OLS regression to estimate the effects of structure and population on Latino representation on the school board. Descriptive Latino representation ranges from 0 to 100 percent and the effects are estimated in a linear fashion to reflect the theoretical process of proportionality to the population. Many school districts, however, do not have any Latino representation on the school board (76 percent in Texas and 82 percent in the National sample), and we want to make

²⁶ The remaining Texas school boards are either appointed or use cumulative voting procedures.

sure that the estimation procedure reflects this skewed distribution. Paulino (2001) and Buckley (2003) suggest that when using percentage data with this type of distribution, a maximum likelihood estimation procedure with a beta function (ml beta) is most appropriate. To this end, I estimate the models using both procedures, relying on the OLS estimates for coefficient interpretation, and the maximum likelihood estimates as a check on the reliability of these OLS results.²⁷ The ml beta z-scores are displayed next the OLS t-scores, and I discuss the cases where statistical significance is not consistent across methods.

In order to examine the role of electoral structure on the amount of Latino descriptive representation, I introduce two interactions in these models. Two dummy variables, one for at-large/ward structures (0,1 respectively), and the other for minority/majority Latino populations (0,1 respectively) are created to test the multiple hypotheses described above.²⁸ These dummies are interacted with the percent Latino population in a manner consistent with other representation work done at this level.²⁹ The equation, a modification of the one popularized by Engstrom and McDonald (1981) and used by most analyses of minority representation since then (Austin 1998; Meier and England 1991; Meier et al. 1989), can be decomposed into separate parts for at-large and

²⁷ Because of the multiple interactions in the models it is difficult to demonstrate to the reader the effects of the independent variables using the ml beta coefficients. This method is thus used for reliability. Also, because of the inherent collinearity in the OLS models, the ml beta method is conducted with robust standard errors for additional rigor.

²⁸ In the national sample, mixed districts, those using both at-large and single member ward structures, are coded for the proportion of seats that are elected by wards. Because this variable's distribution is largely bi-modal, I interpret the interactions at the 0 (fully at-large) and 1 (fully single-member wards) positions for ease of display.

²⁹ Total Latino population is used in the *electoral structure* models, although Latino voting age population would be preferred theoretically. I use the general population measure for ease of comparison with the bureaucratic models, and because the results do not change when using Latino voting age population (they are correlated above the .99 level).

ward-based systems in both Latino majority and Latino minority school districts.³⁰ The percentage of Latino school board seats is then regressed on Latino population, ward elections, whether Latinos are a majority, the interaction of Latino population by ward elections, the interaction of Latino population by majority status, and the three way interaction of majority status, ward elections and Latino population. The results from the two different samples are presented side by side in each table for comparison purposes; consistency across samples furthers claims of theoretical generalizability. The different interactions are interpreted step by step below.

Table 4.1 presents the results of this first examination of both samples. When Latinos are a *minority* in a district with *at-large* elections, the last four structural variables are all reduced to constants (zero) producing the following equation:

$$[\text{National sample}] \quad \% \text{Seats} = -3.18 + .438 * (\text{Latino Population})$$

$$[\text{Texas sample}] \quad \% \text{Seats} = -3.43 + .289 * (\text{Latino Population})$$

Proportional representation would produce a coefficient of one for the population variable, and by comparing the actual population coefficient to this ideal we can see how close or far from this proportional situation the process actually is. For every one percentage point increase in Latino population in these samples, the amount of representation on the school board increases by .44 and .29 in the national and Texas

³⁰ I tested all of the models using different plurality “break” points (50%, 45%, 40%, 35%, 30%, 25%, 20% Latino population) to examine the population percentage at which Latinos began to see declines in structural effects. The models using “50% Latino” fit the data best and explained the most variance. This is an interesting finding and should be explored further, but a potential explanation is that school board elections are not well attended, and an absolute population majority (and not a simple plurality) is necessary before at-large elections can be successfully contested by Latinos.

Table 4.1: The Impact of Ward Elections and Majority Status on School Board Seats

Dependent Variable = % Latino Seats on School Board				
Independent Variable	National Sample		Texas Sample	
	OLS*	ML-Beta**	OLS	ML-Beta
Intercept	-3.18 (-1.77)	(-24.25)	-3.43 (-1.75)	(-22.53)
Latino Population	.438 (15.37)	(7.65)	.289 (6.85)	(7.20)
Ward Elections	-.251 (-.36)	(-.80)	-1.37 (-.52)	(-1.22)
Ward x Latino Population	.131 (2.70)	(1.53)	.212 (2.37)	(3.07)
Latino Majority	-58.95 (-12.95)	(-4.27)	-38.08 (-6.80)	(-1.72)
Latino Majority <i>times</i>				
Latino Population	1.19 (17.08)	(6.79)	.838 (10.32)	(2.53)
Wards x Latino Pop.	-.103 (-1.95)	(-1.21)	-.300 (-4.16)	(-3.27)
% Latino Noncitizen	-.057 (-3.29)	(-4.82)	-.059 (-2.05)	(-2.00)
Latino Education (H.S.)	.034 (1.76)	(1.51)	.044 (1.87)	(3.93)
% Latinos Below Poverty	.031 (1.45)	(2.58)	.027 (1.00)	(1.65)
R Squared	.75		.65	
F	453.53		201.34	
N	1352		1003	
Standard Error	8.34		11.88	

* OLS results (t-statistics in parentheses)

** Maximum likelihood z-scores estimating a beta distribution with robust standard errors. All models estimated using STATA 8.

samples respectively. This is expected, given the severe amount of under representation witnessed in the descriptive numbers from chapter three.

Next, we want to see the independent effect of ward election rules in Latino minority districts. To do this, I include the coefficient for the “Ward x Latino Population” (significant) interaction and the “Ward” dummy coefficient (not significant) to the previous equation. The insignificant ward coefficient means that the intercept for ward systems is not different from the intercept for at-large systems. The significant Ward x Latino Population coefficient means that the ward *slope* is statistically different from the at-large slope (that is, it is larger). The reduced equation confirms this relationship; in ward systems where Latinos are a minority, a one percentage point increase in Latino population is associated with a .57 (national) and .50 (Texas) percentage point increase in Latino representation. These differences in Texas can be seen more clearly in figure 4.3.

$$[\text{National sample}] \quad \% \text{Seats} = -3.43 + .569 * (\text{Latino Population})$$

$$[\text{Texas sample}] \quad \% \text{Seats} = -4.80 + .501 * (\text{Latino Population})$$

Having examined the role of these rules in Latino minority districts, it is time to see if these effects disappear in Latino majority districts as hypothesized. In Latino majority jurisdictions that elect school board members at-large, all the ward variables are turned into constants. The representation equation for these districts is as follows:

$$[\text{National sample}] \quad \% \text{Seats} = -62.13 + ((.438 + 1.19) * (\text{Latino Population}))$$

$$[\text{Texas sample}] \quad \% \text{Seats} = -41.51 + ((.289 + .838) * (\text{Latino Population}))$$

Figure 4.3: Latino Representation: The Outcomes of Two Election Types in Latino Minority Districts

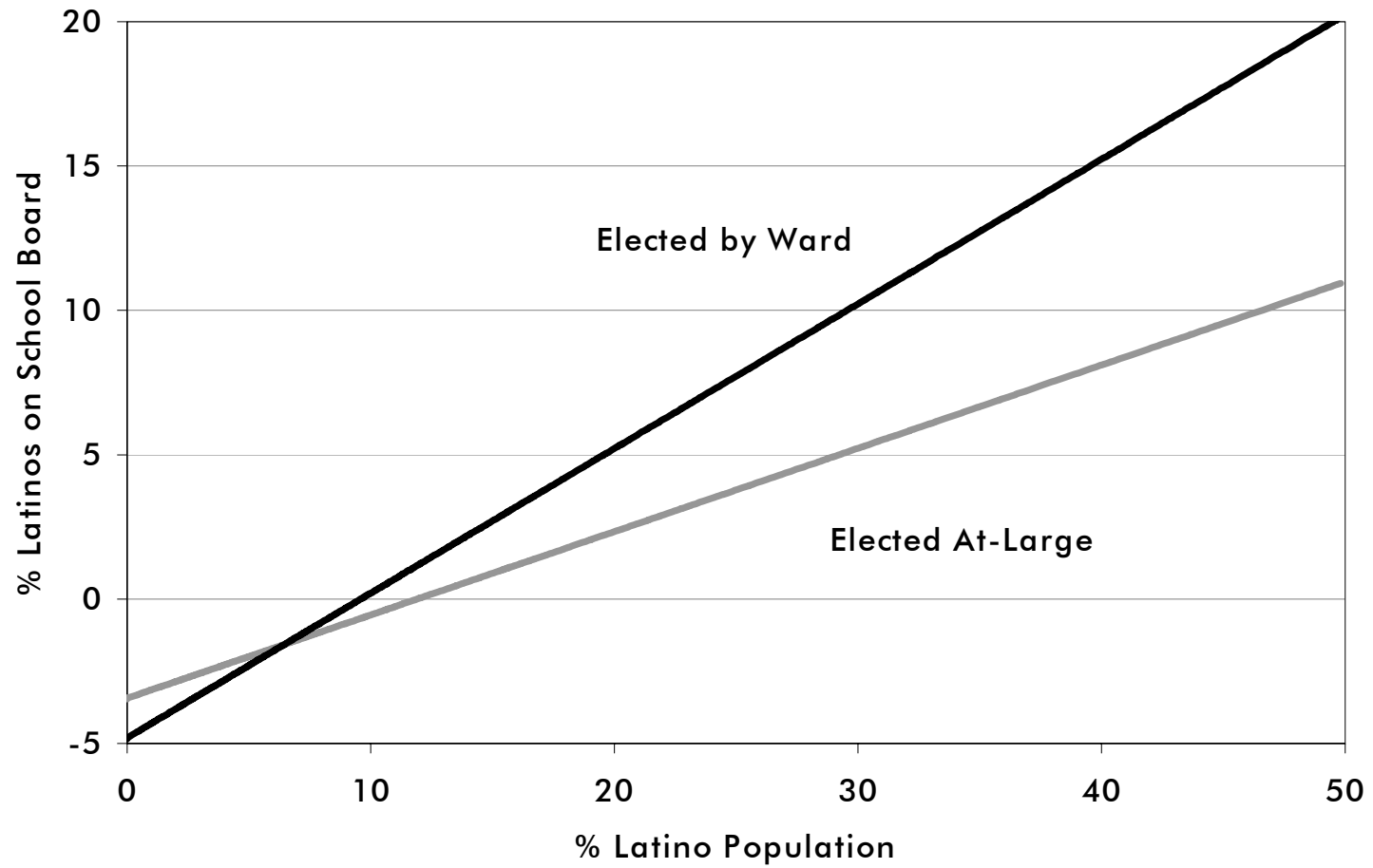
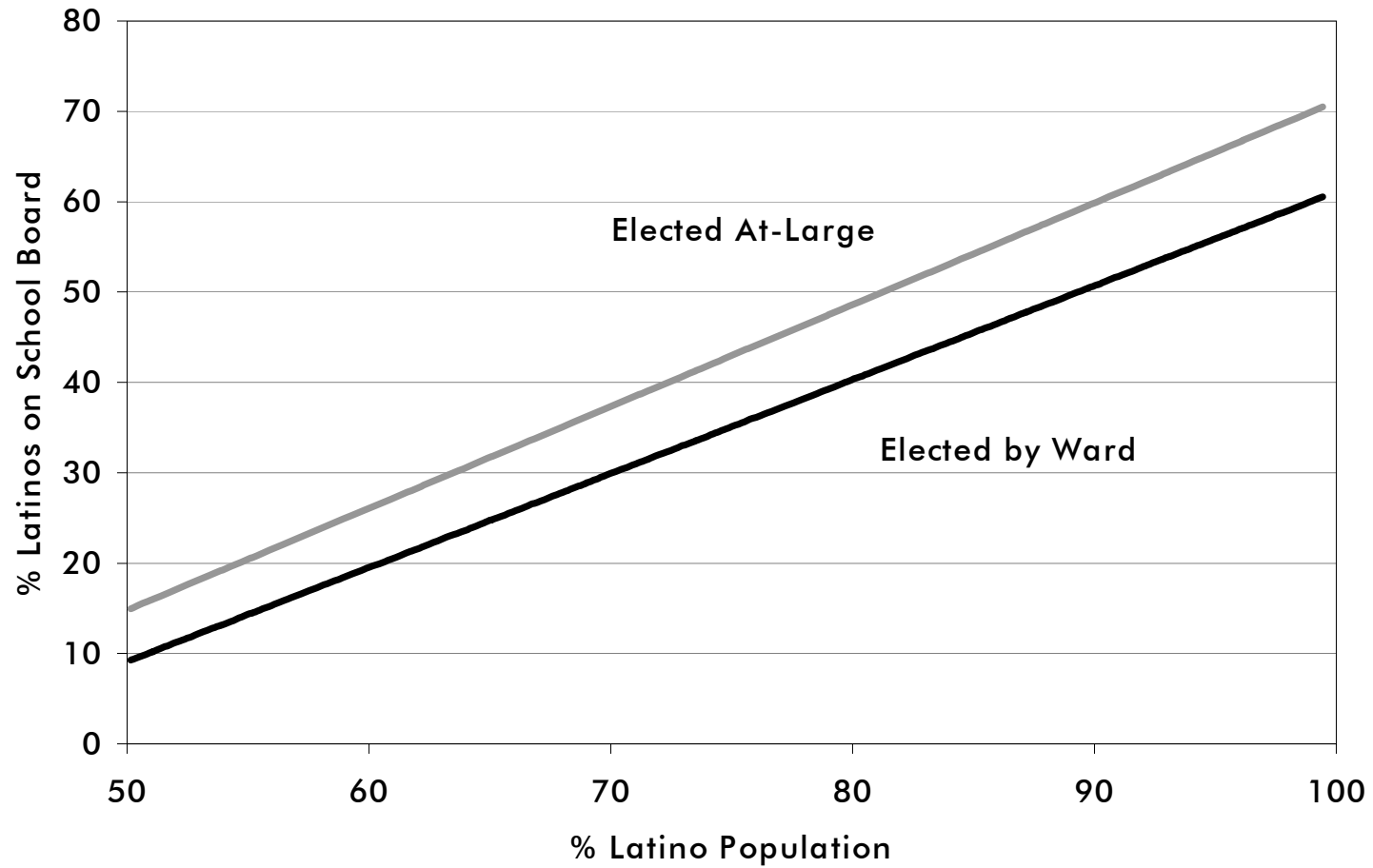


Figure 4.4: Latino Representation: The Outcomes of Two Election Types in Latino Majority Districts



The large negative intercepts reflect the fact that the baseline population for these districts is at least 50 percent. In Latino majority jurisdictions with at-large elections, a one percentage point increase in Latino population is associated with a 1.63 (national) and 1.13 (Texas) percentage point increase in Latino representation.³¹

If the hypothesis that majority Latino populations do not need the benefit of wards to maintain descriptive representation is correct, then we should not see a significant slope difference due to structure in these sub-samples. Surprisingly, wards produce significantly *less* representation for Latinos in the majority context than at-large rules. Determining the representation relationship in these districts necessitates using all of the structural coefficients in Table 4.1 producing the following:

[National sample] %Seats = -62.38 + 1.66 * (Latino Population)

[Texas sample] %Seats = -4.80 + 1.04 * (Latino Population)

As shown in figure 4.4, not only do ward structures not help Latino representatives (as they do in Latino minority districts), they slightly hinder them. In ward systems, a one percentage point increase in Latino population is associated with a 1.66 (national) and 1.04 (Texas) percentage point increase in Latino school board seats. The fact that these are significant differences is surprising but in many ways supports the idea that this is a politically induced relationship, and not a group-specific phenomenon. That is, when Latinos constitute a majority of the district's population, and ward rules are in place,

³¹ There are variety of reasons why Latinos might not win all the seats in a majoritarian system such as this one. Winning elections is a function of mobilization and to the extent that Latinos have lower levels of turnout, either as a result of citizenship or other factors, or to the extent that good Latino candidates are not running, representation levels will fall. Residual incumbency advantages of sitting Anglo board members might also slow the acquisition of Latino seats.

other groups (Blacks, Asians, Native Americans, and Anglos) are able to use the ward benefits to their advantage. At-large rules favor the majority, no matter who they are, and wards seem to favor the minority regardless of which group occupies that space.

There are a few other important things to note in table 4.1. Because the majority dummy is a rough measure of majority and minority politics, the predicted levels around 50 percent are potentially off (if only slightly). In future research, it would be prudent to test alternative functional forms to figure out exactly where minority politics ends, and majority politics begins at the local level. Secondly, all of the OLS structural results maintain their significance using the maximum likelihood analysis, except for the minority ward coefficient in the national sample (although it is close in a one-tailed test). This is not alarming, because when partisan ward school districts are included in the models (not shown), this coefficient retains its significance. Also, the high level of collinearity due to the multiple interactions combined with the robust technique suggests that confidence in this relationship is defensible.

The control variables in the models behave as expected, and the consistency across samples is intriguing. The percentage of non-citizens in the district has a significantly depressing effect on Latino representation, as these individuals are not allowed to vote. Although not consistently significant, the level of Latino education has a positive effect on descriptive representation. The coefficient for Latino poverty is not consistently different from zero.

Summarizing the evidence thus far, the hypotheses about electoral structure and minority status are confirmed, while the hypotheses concerning Latino majority status

are not. When Latinos are a minority, they do significantly better in electoral systems based on ward elections. When Latinos are a majority, they receive the same benefits of at-large bias that other majorities do, but we do not know if this is because other minority groups are using wards to thwart Latino policy preferences, or because of other unobserved processes. No matter what the system, however, Latino representation is never predicted to exceed the Latino population percentage.

Substantive Representation at the Local Level

Thus far, the results have substantiated the traditional findings for Blacks and Latinos in terms of descriptive representation. We have also seen the influence of different types of politics (minority versus majority) and how these interact with election rules, something that has been relatively unexamined in the literature. The question of how these representatives behave once in office is taken up next. Of particular interest is examining the independent influence of electoral structure on minority recruitment to the bureaucracy. As discussed in chapter three, school boards are responsible for hiring upper level managers, and to a lesser extent recruiting new teachers (either through policy changes or direct staffing). These are the outcomes that are examined in the following analyses.

As with descriptive representation, it is expected that at-large rules in Latino minority districts will constrain Latino board members from having an impact on these outcomes, when compared with their ward-elected counterparts. The hiring of minorities to the bureaucracy after the election of a minority representative has long

been considered a substantive outcome (Eisinger 1982; Kerr and Mladenka 1994; Mladenka 1989; Polinard et al. 1994). It is difficult to empirically differentiate this practice from patronage (Rich 1996), however the historical under-representation of these groups in the bureaucracy combined with the relationship between minority staffing and beneficial outcomes for clientele leads one to conclude that patronage may not be the primary goal.³² That is, it is credible to consider that minorities were excluded from these positions because of their race or ethnicity prior to group representation, and their recruitment after successful legislative representation simply “normalizes” the hiring process. In particular, a substantial amount of anecdotal evidence and empirical research supports the notion that an increased Latino presence in the education bureaucracy benefits all students, and Latino students in particular (Meier and Stewart 1989; Meier et al. 1999; Meier et al. 2001; Polinard et al. 1994).³³ This section empirically tests hypotheses 3 and 4 and their variants, pictured in figures 4.2a, 4.2b, and 4.2c.

To determine the efficacy of representatives elected under various structures, we can use the same interaction strategy as in table 4.1. It is expected that the labor pool for most teachers in the district will reflect the population characteristics for the group. That is, districts with more Latinos will produce and attract more Latino administrators and

³² This does not even begin to account for the effect of legal restrictions on pure patronage hiring in the public space. Over time, legislators have lost most of their capacity to directly appoint unqualified candidates to the bureaucracy. In fact, this practice was one of the reasons for the progressive reforms that made them illicit (Davidson and Korbel 1981).

³³ This corresponds with “substantive representation” as I have defined it (see also Hero and Tolbert 1995, 641; Epstein and O’Halloran 1999, 385). To be clear, it is not possible to directly measure the legislative policies of all 1000 + school boards, but we can capture substantive policy gains: 1) indirectly with the outcome measures of Latino administrative and teacher recruitment, and 2) directly, because an increase in Latino bureaucratic employment is a substantive good in and of itself (for Latino constituents).

teachers. Also, we would expect that Latino education levels and Latino poverty levels will help explain the percentage of Latino bureaucrats in these districts. I control for each of these socioeconomic (labor market) factors in each model. Instead of interacting Latino population with electoral structure in these models, I use Latino representation on the school board to test the theoretical argument that Latino representatives are constrained by their variable incentives for constituency service.

Table 4.2 presents the results for the models of administrative staffing. I again present the results for the two samples side by side, as well as the maximum likelihood z-scores in the interest of robustness. When Latinos are a minority and there is no school board representation, the Latino population coefficient tells us the level of bureaucratic representation we would expect to see in the average district. This is a good baseline with which to compare the substantive results due solely to descriptive representation. Staying in these minority districts we can see that in at-large arrangements, the coefficient for Latino descriptive representation is insignificant in the Texas sample, and tiny (and insignificant in the ml beta estimation) in the national sample. Latino school board members appear to have little, if any, effect on substantive outcomes.

Do ward constraints make a difference in terms of staffing outcomes? In minority districts they certainly do. The results for the Ward x Representation interaction may be the single most important finding in this chapter. After controlling for population and other important factors in the causal process, we see that ward rules

Table 4.2: Bureaucratic Outcomes in Different Systems: Latino Administrators

Dependent Variable = % Latino Administrators				
Independent Variable	National Sample		Texas Sample	
	OLS*	ML-Beta**	OLS	ML-Beta
Intercept	-5.65 (-5.29)	(-32.54)	-2.73 (-1.87)	(-17.27)
Latino Population	.343 (17.50)	(16.82)	.171 (4.55)	(5.47)
Latino Representation	.095 (3.75)	(.76)	-.053 (-.82)	(-.54)
Ward Elections	.133 (.35)	(-.11)	-.703 (-.53)	(.59)
Ward x Latino Representation	.204 (5.27)	(2.52)	.331 (3.46)	(2.19)
Latino Majority	-25.36 (-7.15)	(2.87)	-61.57 (-12.18)	(-4.59)
Latino Majority <i>times</i>				
Latino Population	.327 (4.82)	(-4.46)	1.30 (15.83)	(5.06)
Latino Representation	.295 (7.44)	(2.03)	.164 (2.26)	(1.95)
Wards x Latino Rep.	-.095 (-2.18)	(-1.20)	-.445 (-4.37)	(-3.94)
Latino Education (H.S.)	.056 (4.51)	(4.16)	.052 (2.71)	(5.46)
% Latinos Below Poverty	.070 (4.94)	(3.69)	-.008 (-.33)	(-3.22)
R Squared	.85		.77	
F	651.95		336.74	
N	1144		1002	
Standard Error	5.28		10.56	

* OLS results

** Maximum likelihood z-scores estimating a beta distribution with robust standard errors. All models estimated using STATA 8.

work the way we expect them to. Latino representation in these districts is associated with a significant and substantial amount of substantive outcomes. Instead of creating a shift towards Anglos (H_{3b}), these rules constrain representatives to produce Latino benefits (H_{3a}). The results are similar in the national and Texas samples, providing ample support for the general theory. They suggest two hypothetical possibilities. Either the exact same Latino representative would behave differently when elected by ward rather than at-large, or the different rules select different types of candidates into office. Both however, would produce the observed outcomes.

Figure 4.5 displays the predicted values of each system in minority districts in Texas. This picture in conjunction with figure 4.3 shows that even small descriptive gains can translate into very large substantive returns. In ward systems, a one percentage point increase in Latino school board representation is associated with a .30 (national sample) and .28 (Texas sample) percentage point increase in Latino administrators. Latino representation, in fact, has a larger impact than Latino population in Texas, and in the national sample the coefficients are similar in magnitude.

Turning to Latino majority school districts however, we see the same surprising results from the descriptive table. Latino at-large representation in this setting has an enormous effect on the staffing of Latino administrators, but in wards, the relationship is muted. The predictions for Texas are displayed in figure 4.6, and show a very different picture than the one portrayed in the minority context of figure 4.5. Again, not only do wards not help Latinos when they are a majority, they actually hurt them. Much like the

Figure 4.5: The Substantive Outcomes of Latino Representation in Two Types of Latino Minority Districts

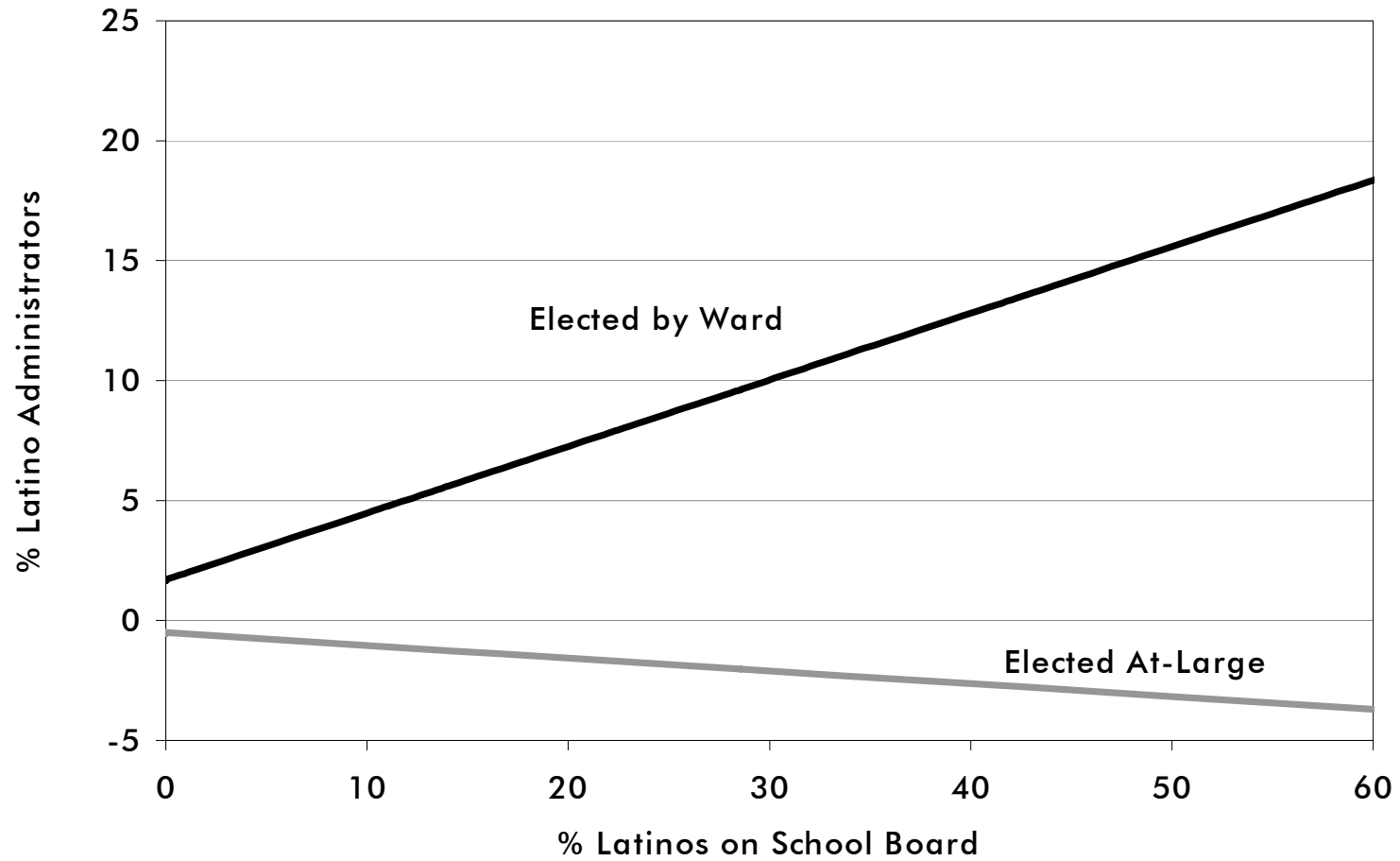
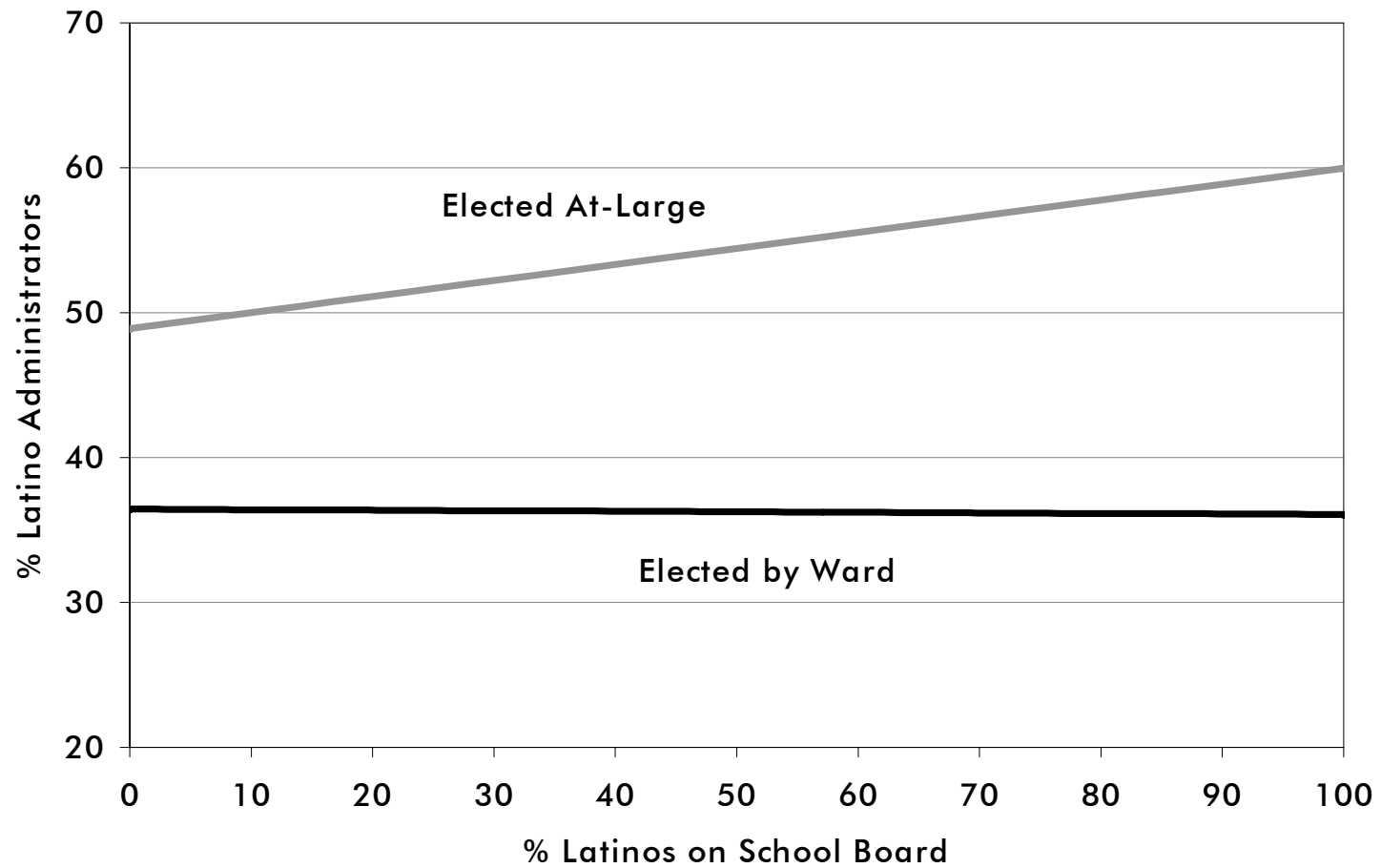


Figure 4.6: The Substantive Outcomes of Latino Representation in Two Types of Latino Majority Districts



previous results, we see a consistent structurally induced difference between majority and minority politics (this condition relates to population numbers, not majority or minority status on the board). This last finding is surprising because it contradicts H_4 in a direction I did not originally expect to observe.³⁴

Continuing now to an examination of the effects of election structure on the staffing of Latino teachers, I expect that if there is an influence, it will be small but consistent with the findings thus far. As discussed in chapter 3, school boards are directly responsible for the hiring of top-level managers, but their relationship with teachers is more nuanced, and involves the superintendent and principals. This process reinforces the importance of Latino representation in the district administration, but may reduce the direct influence that a Latino board member possesses. The influence of school board members is likely to be through the adoption of new policies or by recruiting more in Latino labor pools. To investigate the question of teacher representation, I use the same equation as in Table 4.2, but add the percentage of Latino administrators to the equation to control for their direct impact. If the top-down story is correct, the administrator variable should dominate the model.

Table 4.3 demonstrates that representation on the school board has little to no influence in either sample. The only significant coefficient for any representation variable is in the Texas sample using OLS. Because this finding is not corroborated in the national sample or by the ml beta method, I am not confident in its significance.

³⁴ I expected no difference due to structure in these majority districts. By “better” I do not refer to the absolute advantages seen in figure 6 (due to a larger intercept), rather I simply note the steeper slope.

Table 4.3: Bureaucratic Outcomes in Different Systems: Latino Teachers

Dependent Variable = % Latino Teachers

Independent Variable	National Sample		Texas Sample	
	OLS*	ML-Beta**	OLS	ML-Beta
Intercept	-.909 (-1.19)	(-24.53)	-2.06 (-3.07)	(-39.05)
Latino Population	.155 (9.88)	(18.95)	.154 (8.85)	(12.51)
% Latino Administrators	.458 (21.81)	(-9.05)	.245 (16.86)	(4.56)
Latino Representation	.028 (1.57)	(-.83)	.076 (2.57)	(1.34)
Ward Elections	.035 (.13)	(-3.57)	.392 (.64)	(5.18)
Ward x Latino Representation	-.014 (-.51)	(.67)	-.032 (-.74)	(-1.55)
Latino Majority	-30.04 (-11.72)	(2.93)	-50.74 (-20.47)	(-1.25)
Latino Majority <i>times</i>				
Latino Population	.626 (12.93)	(-4.28)	.947 (22.55)	(.52)
Latino Representation	-.081 (-2.83)	(-.80)	-.010 (-.31)	(-.82)
Wards x Latino Rep.	.024 (.76)	(.11)	.090 (1.90)	(1.04)
Latino Education (H.S.)	.013 (1.43)	(-1.12)	.036 (4.08)	(5.54)
% Latinos Below Poverty	.013 (1.30)	(-1.05)	.0003 (.03)	(-3.56)
R Squared	.91		.93	
F	1080.03		1259.39	
N	1138		1002	
Standard Error	3.73		4.83	

Wards do not create the incentives for greater influence on teacher staffing than at-large rules, and in fact neither system produces any substantive gains for Latinos.

Instead, Latino teachers are positively associated with the Latino population, Latino education levels (in Texas only), and Latino administrators. As expected, Latino administrators dominate the equation in minority districts, and Latino population overwhelmingly controls the process in majority areas. In short, there is almost no empirical support for the hypothesis that school board representation directly affects Latino teacher hires. Also, there is no evidence that election structure changes this relationship in any significant manner. The top-down model of influence however, is supported by the large impact of Latino administrators on street-level bureaucratic representation. Because ward-elected board members produce more Latino administrators in minority districts, and Latino administrators are largely responsible for the staffing of more Latino teachers, the indirect influence of structure on Latino hires remains substantial.

As I have described them, the findings on bureaucratic representation as substantive representation can stand alone. Other research, however, has shown a linkage between the presence of minority teachers in the classroom and in the district, and increases in student performance on a variety of measures. In some ways, this consistent evidence provides a defense against the patronage argument for Latino hires. That is, if Latino teachers provide true policy benefits to clientele that Anglo teachers cannot, then efforts to increase their numbers in the school are reasonable and effective.

As I discussed in chapter three this is exactly why so many school districts in Texas are going to great lengths to recruit Latino teachers. Not only are these teachers more likely to have the skill sets to interact with bilingual students better, but they are also equipped to handle bilingual parents much better. As my interview with the former superintendent of two school districts in Texas uncovered, Latino teachers are much better equipped to handle *all* of the duties of educating Latino students, including the crucial aspect of recruiting family resources to the process (time, money, and effort). Because education is a process of co-production between the bureau and the clientele, these efforts, while difficult to measure, are essential to student improvement.³⁵

Latino teachers also potentially serve as role models to students, and may track and discipline students differently than their Anglo counterparts. The latter aspect speaks to the potential general benefits minority bureaucrats bring to a public organization. If, in fact, Anglo teachers (on average) are implementing the policies of the school district inefficiently, and using their informational and expertise advantages to conceal these practices (see Juenke 2005), then the arrival of bureaucrats who treat these students differently would have an objective and shared positive impact on the efficiency and effectiveness of organizational outcomes. Perhaps the recruitment of Latino teachers is a process of selecting different types of bureaucrats, ones that have preferences matching those of the public and legislature more closely.

Tables 4.4 and 4.5 are reproductions of results showing the effects of Latino teachers on Latino student outcomes at the district level. These models were generated

³⁵ This belief was corroborated by an Anglo middle school teacher from Colorado. He stated that the disconnect between himself and the parents of Latino students was significant and debilitating, translating to difficulties in the classroom.

Table 4.4: Latino Teacher Influence on Latino Student Test Scores ³⁶

Dependent Variable = Latino Pass Rate		
Independent Variables	Slope	t-score
Latino Teachers	.114	3.56
Anglo Test Scores	.771	15.69
Resources		
Teacher Salaries (000s)	.554	2.37
Per Student Expenditures (000s)	.670	.84
Class Size	-.126	.45
Teacher Experience	-.066	.32
Noncertified Teachers	.029	.36
Constraints		
Percent Black Students	-.126	3.67
Percent Latino Students	-.198	6.79
Percent Low Income Students	.043	1.31
R Squared	.30	
F	39.44	
N	935	
Standard Error	10.08	

³⁶ This table is reproduced exactly as it appears in Meier and Juenke (2005; except for style and formatting changes). Ken Meier is responsible for the results, however I have validated them in my own analyses. These are OLS regression results estimated using STATA 8.

Table 4.5: The Influence of Latino Teachers on Other Policy Indicators in Texas ³⁷

Indicator	Slope	t-score	R-square	N
Latino Attendance	.022	6.93	.31	989
Latino Dropouts	-.005	.82	.11	930
Latino Advanced Classes	.088	3.55	.33	852
Latinos Taking College Boards	.388	4.99	.23	490
Latino SAT Scores	.644	1.83	.46	248
Latino ACT Scores	-.001	.14	.42	284
Latinos Above 1110 SAT	.084	1.95	.32	360
Latinos in AP Classes	.050	2.50	.44	682
Latinos Passing AP	.048	.39	.55	158

All equations control for Anglo performance on the same indicator, teachers salaries, instructional funds, class size, teacher experience, noncertified teachers, and percent Latino, Black and poor students.

³⁷ This table is reproduced exactly as it appears in Meier and Juenke (2005; except for style and formatting changes). Ken Meier is responsible for the results, however I have validated them in my own analyses.

in Meier and Juenke (2005). A detailed explanation of the data and analyses can be found in there; because my co-author produced these particular results, I simply present them as evidence of the effects of increased bureaucratic representation (see also Meier and Stewart 1991).³⁸ The data are from the same 1999 Texas dataset used in this paper, thus directly connected to the empirical story told thus far.

In the presence of a tightly constrained model, Latino teachers show a positive and significant relationship with Latino student performance on the state-mandated knowledge and skills test (Table 4.4).³⁹ Testing this same model on a variety of other Latino student outcomes shows a fairly consistent pattern of positive effects for Latino students (Table 4.5). Aside from increased Latino attendance, the remaining significant relationships in the table seem to revolve around college preparation and interest in post-secondary education. At the high-school level, this would appear to support the role model hypothesis, as well as the idea that Latino teachers may be tracking students differently, and giving more attention to Latino students than their Anglo counterparts. This is mere speculation at this point, however, and is not central to the present study.

Discussion

This chapter developed and examined a top-down perspective of policy change in the presence of a variable Latino minority. Extending the descriptive and theoretical

³⁸ I validated all of these results in my own analyses, but because there is nothing new to add to the models I simply duplicate them here.

³⁹ The TAAS test (now TAKS) is the most important government measure of school district quality and success in the state of Texas. It is the model on which other state tests have been developed since the adoption of the NCLB Act of 2001.

work from the previous chapters, I replaced a general top-down model (figure 4.1) with specific formal representations of the local electoral process in public education (figures 4.2a, 4.2b, and 4.2c). In particular, these models produce expectations derived from differences between at-large and ward election rules. These expectations related to both descriptive and substantive representation of Latino interests.

In a democracy, broad policy change is initiated from the public who is represented by legislative actors. These legislators then appoint bureaucrats to implement policy in a way that minimizes the bureaucrat's ability to make policy adjustments at the street level. To the extent that this top-down model of influence and policy change holds true, we would expect differences in policy outputs and outcomes to be related to the constraints faced by legislators. I examined two particular types of electoral constraints and tied them to 1) the amount of Latino descriptive representation on the school board, and 2) a particular policy output: the recruitment and hiring of Latino administrators and teachers.

The hypotheses that were tested concerned two important political phenomenon, election rules and majority status. Using national and Texas samples of school districts, I provide consistent evidence that both institutions and majority status have a large influence on who gets elected and what policy outputs these representatives are associated with once in office. Ward structures have a significant and positive influence on the election of Latino school board members in minority districts. These rules continue to have an influence on substantive policy outputs, at least in the recruitment and hiring of administrators, even after these legislators take office. Direct and

independent structural effects disappeared once the staffing of Latino teachers was examined. In fact, Latino representation had no consistent effect on this variable. The model was dominated by Latino administrators, however, demonstrating support for the general causal chain depicted in figure 4.1. Finally, using multiple measures from the Texas sample, I present evidence from other research (Meier and Juenke 2005) that bureaucratic representation is associated with positive educational outcomes. Structure continues to have influence throughout the policy process, even after the election is over.

The situation in Latino majority districts is clearly different than in those where they are a minority. The evidence suggests that these are political processes, separate from Latino culture or history. In Latino majority districts, contrary to hypotheses H_2 and H_5 , I found that the structure of elections still matter, but that Latinos use the at-large system to their advantage. Instead, their influence as a majority is reduced in ward-based school districts. While the formal logic guides us to this outcome (other groups should benefit from wards when Latinos are a majority), I expected that the differences between racial groups' political experiences (mobilization, residential segregation, and the use of race as a cue), would interact to suppress any purely structural effects in the Latino majority environment. This is not the case here. Other minority groups may be using the ward structures in Latino majority districts to thwart Latino policy. The tests do not explicitly speak to this, but they consistently provide evidence of the effect.

The next chapter turns this process on its head. Instead of the simple top-down model of structural effects and legislative influence, I look at the possibility that Latino

bureaucrats are partly determining Latino legislative representation, and even perhaps influencing the rules of the game. Maybe this entire process is endogenous. If so, we would want to know the magnitude and direction of the relationship each actor has with others, and thus, their relationship to policy change in general. If bureaucrats are helping to move policy in ways that normative democratic theory finds unhealthy, we should be able to specify exactly where and how it happens. Where the present chapter uses a general pluralist framework of policy change, the next chapter explores the potential power of non-pluralist activity for minority populations that have historically been denied access to traditional avenues of political power.

CHAPTER V

THE INFLUENCE OF MINORITY BUREAUCRATS OVER TIME

The results from chapter four are compelling but potentially flawed. A question remains as to the nature of *causality* in the relationships observed thus far. While the pluralistic top-down policy model predicts influence from the public to elected representatives and then to bureaucratic agents, another perspective speaks to the possible endogeneity of this process. This chapter finds fault with the assumption that election structures are exogenous to the participants in the system. It also addresses the prospect that relationships observed at the level of the organization can mask competing causal stories. More precisely, the questions that spawned this entire research project can be stated this way, “What if ward districts were where Latino bureaucrats already worked in the first place, and what if they were the cause of the electoral variation and Latino legislative representation?” Instead of being a result of legislative activity interacted with institutional constraints, perhaps Latino bureaucrats are the ones that started the entire process: structure, legislative representation, and everything else we observe in chapter four.

In the case of the education bureaucracy, we know that the majority of Latinos enter the system as teachers, not school board members or administrators. Here they gain expertise, learn about standard operating procedures, and seek more control over the policy process. Most districts like to “grow” their administrators at home, offering training programs and incentives to work their way up the bureaucracy within the district. This is particularly crucial to underrepresented groups like Latinos, who typically lack

the resources for the education and experience required of administrative work (Manzano 2005). Secondly, there is both anecdotal and case study evidence that many current school board members were themselves district administrators and teachers (Carr 2003). If this process of moving up from street-level positions to managerial positions to legislative ones is correct, then the idea that Latino school board members are recruiting and hiring more Latino bureaucrats in response to clientele demand may be the exception rather than the rule. Thirdly, Latino teachers can use their ability to shirk and sabotage when faced with supervisors they do not want. In a sense, these agents can use their influence to “shop” for a principal (the principal-agent “principal”) until they find one that shares their preferences. This bottom-up theoretical process is examined in this chapter.

Bureaucratic Representation

Every treatment of the policy process, and the role of the bureaucracy in it, discusses the potential for implementation that differs from the preferences of the legislature (Lipsky 1980; Meier 1979; Peters 2001; Pressman and Wildavsky 1979; Rourke 1984; Wilson 1989; Wood and Waterman 1994). As I discussed in chapter three, the education system in the United States provides the perfect policy area to test the interaction of minority preferences and bureaucratic implementation shifts. Local policy control, issue saliency, and institutional features that are absent in other public organizations help define the education system. The pluralist perspective of policy responsiveness in the face of organized political effort takes a beating when applied to

education. Despite the traditional priority of education in minority communities, they continue to occupy the worst schools with the lowest paid teachers in the least effective districts. It is not surprising that minority voters judge candidates based on their racial and ethnic characteristics, as Anglo representation (whether a cause or not) has not been associated with positive outcomes for Latino clientele when they are a minority.

Thus, the general theoretical model from chapter four (seen again in figure 5.1) looks much different from the bottom-up perspective (figure 5.2). Democracy is turned upside-down as street-level bureaucrats not only influence the level of Latino administrators appointed, but also have a direct influence on the amount of descriptive legislative representation present in the system. Even further, this model predicts that Latino teachers may be driving institutional change, either through direct litigation, or through their interaction with the public (or particular members of the public). In the same fashion, higher level bureaucrats like superintendents and principals are predicted to have an effect on the production of Latino school board members (who would likely support their preferences), as well as the rules of the election which would aid this endeavor.

Having become frustrated with the traditional means of pluralistic politics, did Latinos in some communities find ways to influence policy from within? The tests in this chapter speak directly to this question. Over time, do Latino bureaucrats create policy change by “infiltrating” the bureaucracy from the ground up, creating opportunities for legislative representation that would not have existed without their agency expertise? If so, the pluralist model is turned on its head. If this story is true,

Figure 5.1: “Top-Down” Political Control

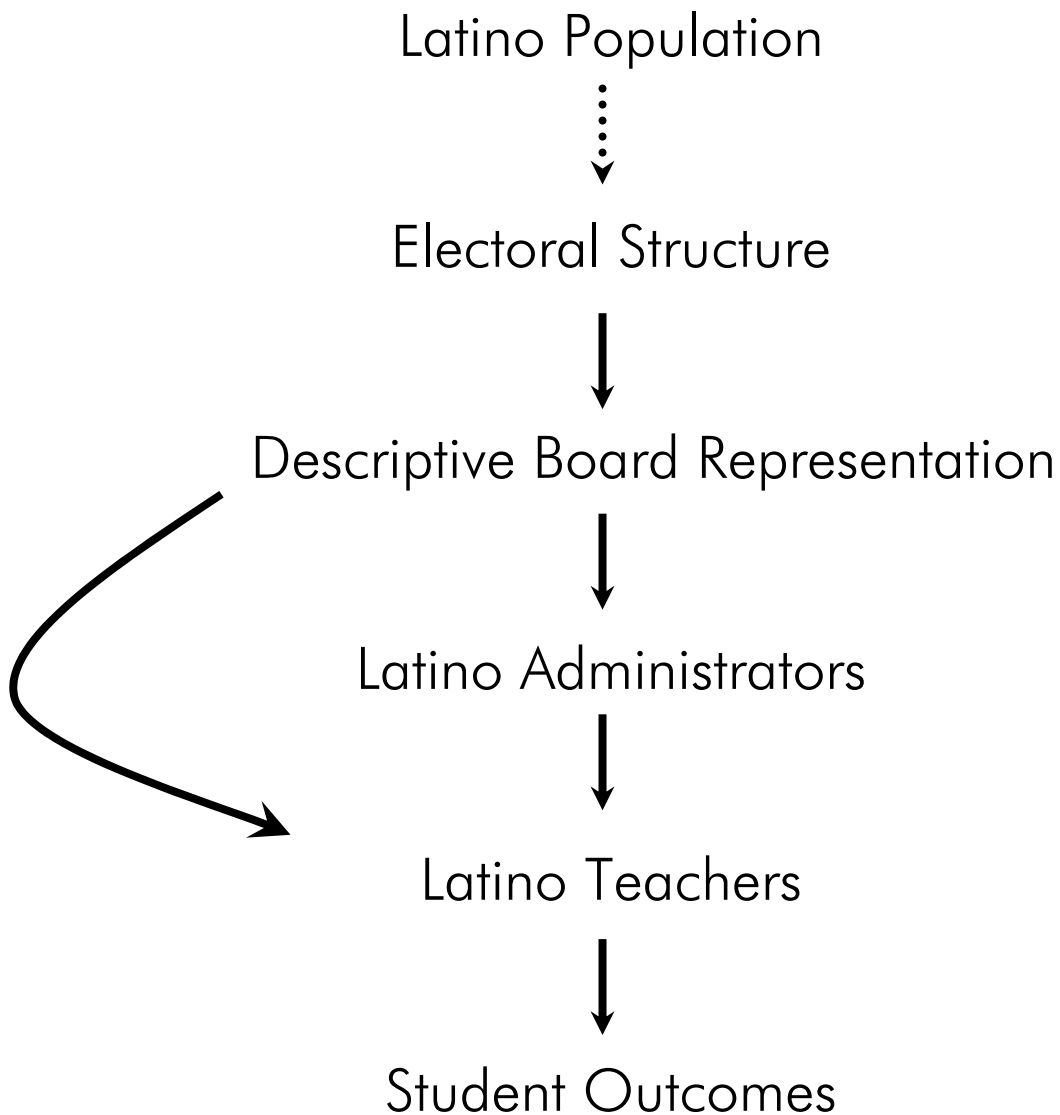
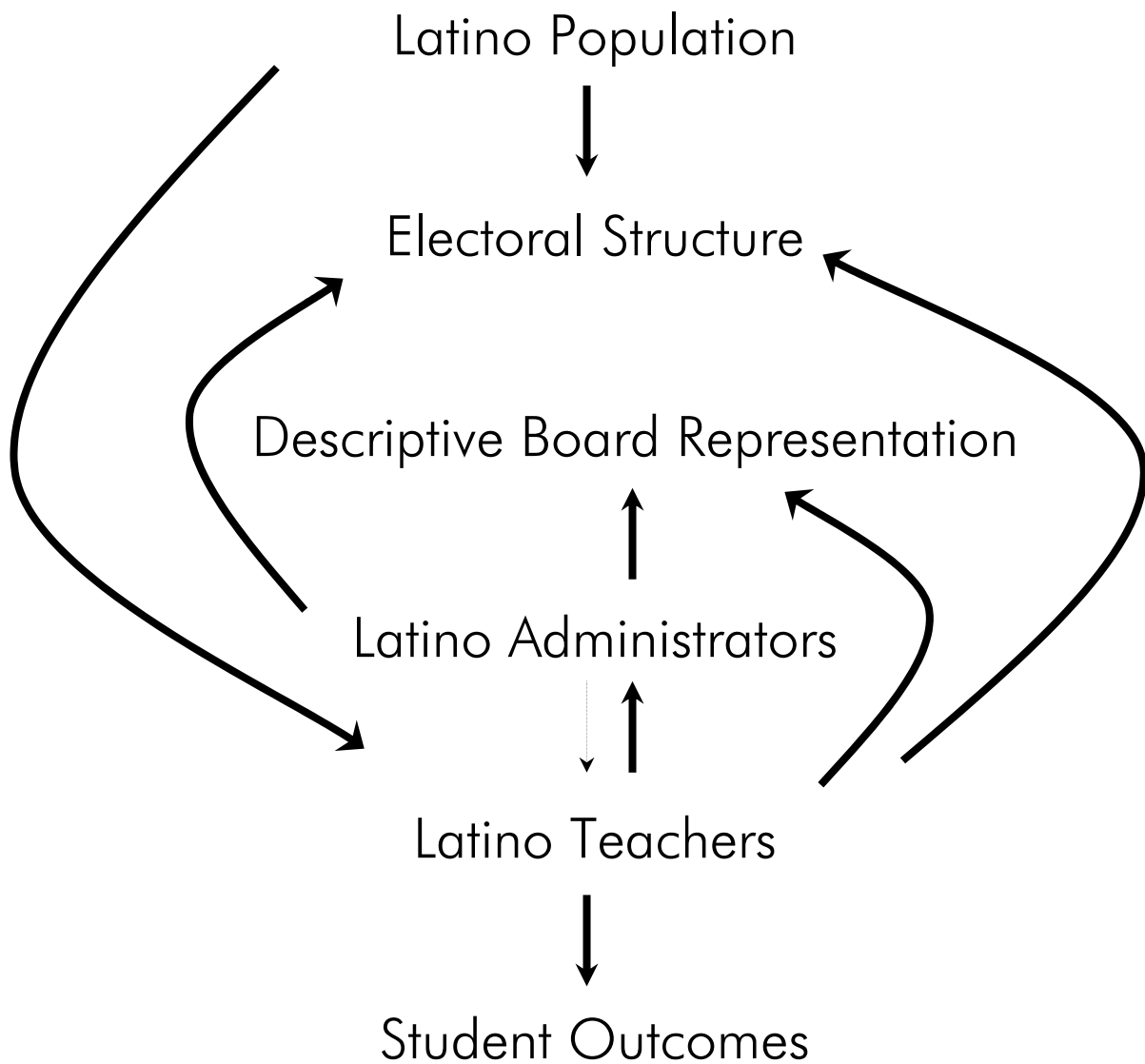


Figure 5.2: “Bottom-Up” Policy Influence



then Latinos have a long way to go before they can influence policy in a more traditional manner. The answer remains to be seen, and can only be addressed empirically with data that measure changes over time.

Of particular interest in this chapter is the electoral change that some districts experienced during the 1990's. How does this process occur in the local system? At the city council and state (thus federal) legislative levels, the battles are typically partisan (though not without a racial flavor; Adams 2000), and do not concern general structural decisions, instead they deal with marginal (but important) ward boundaries. But in nonpartisan elections, ward-based institutional changes are important events in the lifetime of the organization. They are costly to litigate, costly to implement, and as we have seen, can have tremendous influence on the policy outputs of the organization.

Joshua Behr (2004) provides an extensive look at the process of local city council redistricting in Black and Latino cities. While Behr is most interested in how district lines are drawn, his findings are related to the present study because they encompass the local level and discuss the same legal mechanisms used for institutional change in a school district. He finds that Latinos have a more difficult time than Blacks creating "opportunity districts" for their candidate of choice, because of their lower levels of political capital and resources, essential ingredients to pressing for minority redistricting. He also looks at the role of minority legislative incumbents in the process. Surprisingly, in districts where Latinos hold an at-large seat, the likelihood of creating a minority-majority district was significantly lessened (Behr 2004). If the creation of minority opportunity districts can be framed as a substantive policy outcome, this result supports

the present findings showing lower Latino outcomes in districts with at-large Latino members.

Florence Adams finds similar qualitative evidence in Watsonville, California where Latino activists described a more affluent Latino at-large member as “Tio Taco” (a Latino insult similar to “Uncle Tom;” 2000, 42-44). She also points to possible protagonists in the structural shift story – unsuccessful Latino candidates (Adams 2000, 40). As elites who have the resources and desire to run for office, these individuals may also have the political and economic resources to challenge the organization (or threaten to challenge) in court.

These are critical factors to keep in mind as I discuss the data and analyses below. As political resources, teachers and administrators who are stakeholders in the organization may play a substantial role in the movement from at-large to ward rules. In areas where their expertise is absent, the costs may be too high for low resource voters and activists to campaign for change. Thus, as bureaucratic *representatives* they might act on behalf of their clientele constituency and positively influence institutional change. Conversely, in a pluralist model their numbers should actually have a negative relationship with the likelihood of electoral change. If the organization shows signs of representation in the legislature and in the bureaucracy without the need for wards, then there would seem to be little incentive for any of the actors (Latinos, the school district, the Justice Department) to agree to costly and divisive changes. From this perspective, Latino teachers and administrators would be negatively and significantly associated with the likelihood of institutional change.

Data and Methods

The data for the following analyses supplement the Texas cross-sectional sample in a number of ways. The percentage of Latinos on the school board from 1993 to 2001 was gathered using NALEO's count of Latino elected officials (NALEO multiple years). These data are slightly problematic in that they are based on self-reports from NALEO members, thus excluding latent Latino officeholders who may be unknown to NALEO, potentially producing an undercount. To validate these reports, another graduate student and I cross-listed NALEO's yearly data with the percentages from the Texas 1999 sample, as well as data from 1992 Census of Governments report (Census of Governments 1992). The data from these three sources were highly correlated, and appropriate adjustments were made to fill in any missing information.

Secondly, data for the percentage of Latino teachers, administrators, and students were collected from the Texas Education Agency, through their online data archive (TEA 2005). These data go back to the 1993-94 school year thus keeping the analysis confined to the years 1993-2001. I also collected these measures for the Black population to conduct the analysis of electoral change. This process will be discussed below.

These data were supplemented with Census data from 1990 and 2000 for population characteristics at the school district level (Census 1990, 2000). These measures include the percentage of the population that is Latino, the percentage of Latinos with a high school degree, the percentage of non-citizens, and the percentage of

Latinos in poverty. Related information for Blacks was also recorded. Because I do not have yearly estimates of these variables at the school district level, they are used as controls for the early time period (1993) and the later time period of the dataset (2001). I also calculate the changes for each of these census measures from 1990 to 2000.

Lastly, unlike the cross sectional institutional data from chapter four, I was able to generate dynamic structural variation using information from the Justice Department. Each district that changes its election rules is required to get pre-clearance from the Civil Rights Division, and at my request the Justice Department provided the records for each organization that applied for, and received, pre-clearance for change (Justice Department 2005). This allows us to observe the year a district changed from at-large to single member wards, providing a unique opportunity to look at the direct effects of these changes on legislative and bureaucratic representation. It also opens up the prospect of modeling the population and district characteristics that lead to institutional change.

Because the evidence in chapters three and four overwhelmingly support a separate look at Latino *minority* districts I contain the analyses in this chapter to those where Latinos make up 50 percent or less of the district population 1990. Because structural influence appears to disappear once majority politics takes over, we are most interested in whether electoral variation has any effects across time, or whether the cross-sectional, top-down relationships are spurious. In results not shown, majority politics does indeed interact differently with electoral variation over time.

In sum, I create a pooled cross-sectional dataset with eight years of information encompassing over one thousand school districts. The election rules vary over time, as

some school districts change from at-large to wards, providing extra leverage over the cross section used in the analyses from chapter four. The nature of these data cause both empirical and theoretical difficulties that should be discussed.

Empirically, a cross-section of this nature, where the units (1000+) far outnumber the time points (8), hinders our ability to speak to changes over time because the spatial variation dominates observed changes over time. There are methods to correct for this, but endogeneity tests like VAR, SEM, or SURE, and to an extent traditional Granger causality tests, are not equipped to handle these kinds of situations (Greene 2003, 592-593; Gujarati 2003, multiple chapters). Models that are fixed over space and time can be estimated, and I do so, but they are limited by theoretical problems.

When we think about the cross-sectional results, they make theoretical sense. Public organizations with more Latino legislative representation are associated with more bureaucratic representation, all else equal. And this legislative representation finds additional influence when it is supported (or constrained) by ward elections. That is, representative *variation*, both positive and negative is related to positive and negative variation across space. Is this what we would expect to see over time? Yes, and no. It is certainly expected that as Latinos get elected to the school board, they have the ability to appoint more Latino administrators and teachers to the district (this is the crux of the entire theoretical argument!). But what happens when Latino representatives lose their seats (even if temporarily)? Do we expect that Latino administrators and teachers will now lose their jobs or leave the district? Not likely. Perhaps if these jobs were strictly based on patronage we might expect a decrease in bureaucratic representation when

legislative representation is lost. But this is obviously not the case in local education. These bureaucrats have an inordinate amount of job security. Therefore, over time, as Latino representation fluctuates from year to year, or election to election, we would not expect to see co-variation in the Latino bureaucracy. And this is not the only problem.

What is more difficult to come to grips with is how we expect this process to work in the absence of variation in Latino representation. For example, take a hypothetical school district using ward elections that has one Latino school board member during the entire eight year period under observation. This board member is the “ideal” representative of the theoretical model, bringing in new Latino administrators and teachers throughout the 1990’s. The district will indicate 14 percent Latino representation (one out of seven members) for eight years and thus no variation across time. But we expect theoretically that this one representative will have a substantial influence on teacher and administrative representation, especially if they stay in office for such a long tenure. Thus, none of the positive effects towards bureaucratic representation will be attributed to the constant legislative representation. This constant will not be related empirically to variation in the dependent variable, even though theoretically this is exactly what is happening.

The “constant representation” problem can also be applied to the bottom-up model, where bureaucrats influence who gets elected. If successful, these bureaucrats may achieve their goal of getting a Latino elected to the board in 1994, but if their numbers remain relatively constant over time (or even decrease), and they are successful in gaining a second seat in 1996, they will not be empirically credited for their influence.

There are a variety of other scenarios (each of them the rule rather than the exception), that disable a traditional year to year analysis. Add to this that spatial variation across the 1000+ districts during the 1990's is substantial, thus dominating any of the small (but significant) changes over time, and we can see that solving the endogeneity problems takes some creative thinking.

This is, however, the goal of this chapter and the research project in general. Changes in the demographic makeup of Texas school systems did occur during the 1990's, and in fact we see evidence of these changes in Figures 5.3 – 5.6. I create four categories of Latino representation for all Latino minority districts in 1993 and 2001: 1) “No Representation” districts are those where there are no Latino teachers, administrators, or school board members, 2) “Teachers Only” districts have no school board or administrative representation, 3) “Mixed” organizations have at least some administrative and school board representation in addition to (or even in the absence of) teacher representation, and 4) “All” districts with Latino representation in all three levels of the organization.

Comparing the samples across electoral systems and across time reveals some telling evidence. Looking at figure 5.3 (at-large in 1993) and figure 5.4 (ward in 1993), we can see that only 10 percent of the ward systems have no Latino representation, compared with almost half of the at-large districts. Without controlling for other factors, it is not possible to explain these differences as effects of the election rules alone; however it does indicate that ward systems are inherently different than their at-large

Figure 5.3: Latino Representation in Minority, At-Large Districts: 1993-1994 (N = 825)

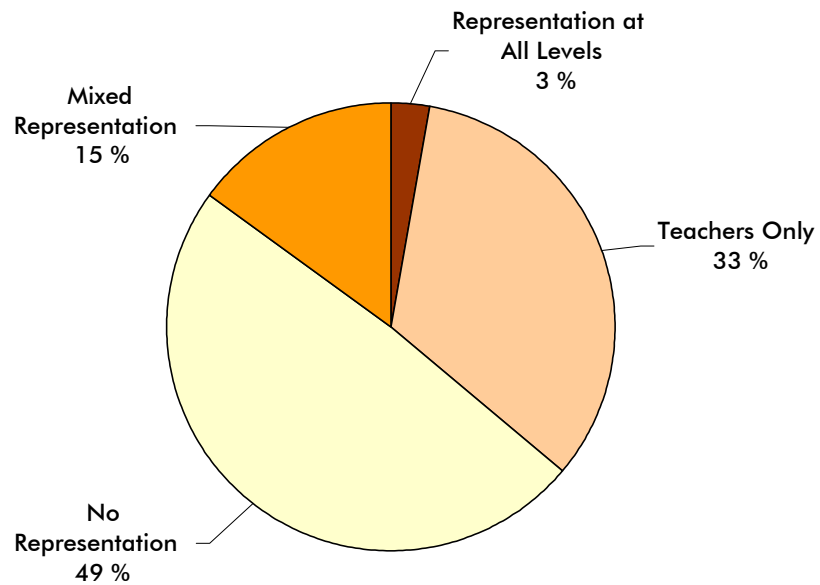


Figure 5.4: Latino Representation in Minority, Ward Districts: 1993-1994 (N = 68)

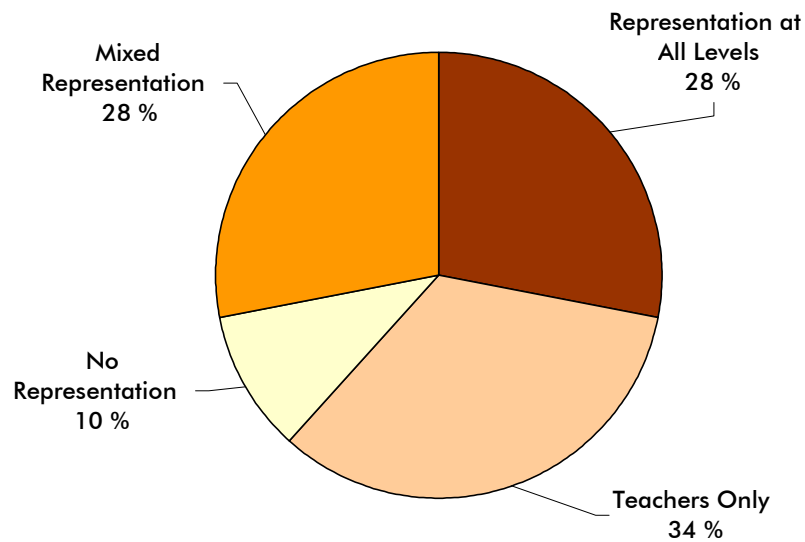


Figure 5.5: Latino Representation in Minority, At-Large Districts: 2001-2002 (N = 773)

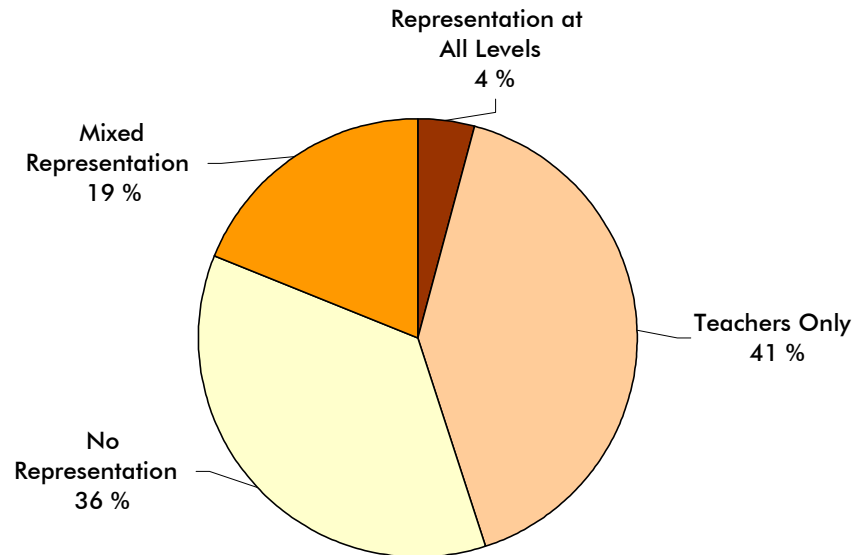
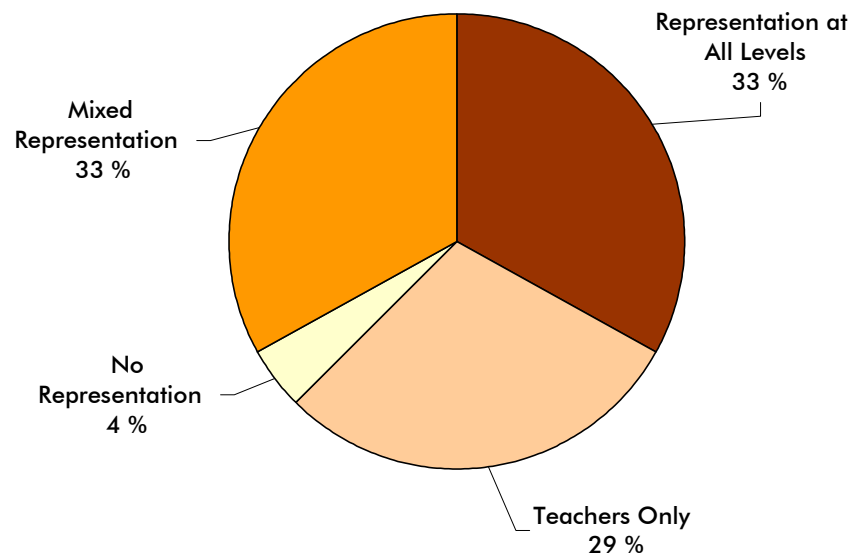


Figure 5.6: Latino Representation in Minority, Ward Districts: 2001-2002 (N = 112)



counterparts. Keep in mind that only minority districts are included in these figures, controlling, in part, for Latino population.

The changes across time are even more informative. Comparing figure 5.3 to figure 5.5, we see that there has been little change in at-large districts across time. Certainly, those districts with no representation have decreased in number during the eight year period (from 49 to 36 percent), but the majority of that change can be attributed to districts with teacher representation only (from 33 to 41 percent), and some change in mixed systems (15 to 19 percent).

A related examination of the ward systems across time shows a different pattern (figures 5.4 and 5.6). First, note that in 2001 forty-four more organizations use ward rules to select their board members than did in 1993. Secondly, from 1993 to 2001 districts with “No Representation” decreased sixty percent. Unlike at-large systems however, this change was at multiple levels of the organization. The percentage of districts with “teacher only” representation actually decreases, suggesting some movement in the bureaucracy and legislature over time. This is in fact what occurs, as both “Mixed” and “All” representative districts increase in number.

The figures are interesting and informative, but in the absence of other control measures they are inconclusive. Did top-down or bottom-up activity produce these results? Is there any institutional evidence at all, or were districts that changed from at-large to ward during the 1990’s already different from their at-large counterparts. Potentially, descriptive representation in the legislature and bureaucracy were already

present in these “changed” systems when some outside factor (MALDEF or LULAC or just an angry parent) forced them to switch their election rules.

Results and Analyses

In light of the initial descriptive evidence in support of structural influence over time, I present some analyses that are more rigorous. Because of the empirical and theoretical difficulties with the pooled cross-sectional dataset discussed above, the preliminary analyses are constrained to the first and last years of the pool. I approach the time dynamic by asking what outcomes we expect to see in 2001 based on the representational elements present in 1993. That is, in the first models, I want to see if there are marginal gains made by one level of representation after controlling for a lagged dependent variable and other measures. Here we are not interested in coefficient magnitudes, as much as the sign and significance of the variables. To the extent that these relationships are endogenous, the coefficient magnitudes will be biased in the presence of a lagged dependent variable. The first models look like the following:

Model 1

$$\begin{aligned} \text{LADMIN}_{2001} = & \text{Constant} + b_1\text{LSBR}_{1993} + b_2\text{LADMIN}_{1993} + \\ & b_3\text{LTEACH}_{1993} + b_4\text{WARD}_{1993} + b_5(\text{WARD}_{1993} * \text{LSBR}_{1993}) + \text{sum of} \\ & \text{effects for control variables} + \text{error term} \end{aligned}$$

Model 2

$$\text{LTEACH}_{2001} = \text{Constant} + b_1\text{LSBR}_{1993} + b_2\text{LADMIN}_{1993} + b_3\text{LTEACH}_{1993} + b_4\text{WARD}_{1993} + b_5(\text{WARD}_{1993} * \text{LSBR}_{1993}) + \text{sum of effects for control variables} + \text{error term}$$

Model 3

$$\text{LSBR}_{2001} = \text{Constant} + b_1\text{LSBR}_{1993} + b_2\text{LADMIN}_{1993} + b_3\text{LTEACH}_{1993} + b_4\text{WARD}_{1993} + b_5(\text{WARD}_{1993} * \text{LPOP}_{1993}) + \text{sum of effects for control variables} + \text{error term}$$

Where:

LSBR – % Latino school board representation

WARD – Used ward rules in 1993

LADMIN – % Latino administrative representation

LTEACH – % Latino teacher representation

LPOP – % Latino population

These are essentially cross-sectional designs with lagged effects. These are very strict models that deal with the time element by controlling for the lagged dependent variable as well as contemporaneous factors. The control variables for these three models include district enrollment, the percentage of Latinos in the population, those with a high school degree, those below poverty, and in the last model, the percentage of non-citizens (which is expected to influence election results because these individuals can't vote). These controls are for the year 2001 (Census 2000), and provide a substantial amount of population context. That is, if the top-down model is correct, these variables will contribute to the representation process at all levels.

The general hypotheses for this chapter reflect the endogenous nature of the representational process and take the general form:

Explaining Latino Administration

H₁ In Latino minority districts, Latino school board members (in 1993) will be associated with the presence of more Latino administrators (in 2001).

H_{1a} In Latino minority districts, Latino school board members in *ward* systems (in 1993) will be associated with the presence of more Latino administrators (in 2001) than will Latino representatives in at-large systems.

Explaining Latino Teachers

H₂ In Latino minority districts, Latino school board members (in 1993) will be associated with the presence of more Latino teachers (in 2001).

H_{2a} In Latino minority districts, Latino school board members in *ward* systems (in 1993) will be associated with the presence of *more* Latino teachers (in 2001) than will Latino representatives in at-large systems.

Explaining Latino School Board Representation

H₃ In Latino minority districts, ward-based systems will be associated with a higher percentage of Latino school board members (in 2001) than at-large systems, as the percentage of Latinos in the district increases (in 1993).

H_{3a} In Latino minority districts, Latino administrators (in 1993) will be associated with a higher percentage of Latino school board members (in 2001).

H_{3b} In Latino minority districts, Latino teachers (in 1993) will be associated with a higher percentage of Latino school board members (in 2001).

Contextual Characteristics

Latino Population: Latino population is expected to have a positive relationship with all three dependent variables.

Latino Education: Districts with more Latinos with a high school degree are expected to be positively associated with all three dependent variables.

Latino Poverty: Districts with more Latinos in poverty are expected to have a negative

relationship with all three dependent variables.

Enrollment: As an indicator of urban areas, the enrollment measure is expected to have a positive relationship with all three dependent variables. This stems from the fact that this is generally where the minority population in Texas tends to reside, and that these larger districts are actively recruiting Latino bureaucrats to their system.

Explaining Relationships over Time

Tables 5.1 through 5.3 present the OLS results for the primary analyses. All of the models were estimated using Huber-White standard errors to account for observed heteroscedasticity. The percentage of Latino administrators in 2001 is the dependent variable in Table 5.1. The first column displays the results for all of the districts in the sample, and shows that Latino teachers, Latino board members, and election structure appear to have no additional influence beyond what is explained by Latino administrators in 1993. Also, though not shown in the table, Latino population and enrollment affect the percentage of Latino administration positively and significantly.

Columns two and three break the sample into those districts with no Latino administrators in 1993 and those that did. If Latino board representation has any influence on bringing more Latinos to the system, then we should see evidence of this in column two. In districts with no Latino administrators, however, none of the independent variables explain variation eight years later, and the amount of explained variance is near zero. Districts that had at least some administrative representation in 1993 show a relationship between board and bureaucratic representation in 2001. It is

Table 5.1. Explaining Administrative Representation in Latino Minority Districts: 1993 – 2001

OLS Dependent Variable: % Administrators in the District Who are Latino (in 2001-02)

Independent Variables ⁴⁰	All Districts	Latino Administrators in 1993-94?	
		No	Yes
% Latino Admin. (1993)	.52**	...	...
% Latino Teachers (1993)	.29	.27	.60
% Latino Board Members (1993)	.01	-.02	.19*
<i>Interaction</i>			
Ward Structure (1993)	.73	.17	1.83
x % Latino Board Members (1993)	-.02	-.02	-.07
Number of Cases	820	729	91
R ²	.27	.04	.46
F	26.54**	5.88**	13.31**

* indicates significance at $\leq .05$ ** $\leq .01$ ⁰ $\leq .10$

All models estimated using STATA 8.0, White-Huber standard errors used.

⁴⁰ All models include (2001) controls for % Latino students, % Latino population in district, % Latinos with a high school diploma, % Latinos below poverty, and total enrollment. In the interest of clarity, I do not report these results here.

Table 5.2. Explaining Teacher Representation in Latino Minority Districts: 1993 – 2001

OLS Dependent Variable: % Teachers in the District Who are Latino (in 2001-02)			
Independent Variables ⁴¹	All Districts	Latino Teachers in 1993-94?	
		No	Yes
% Latino Admin. (1993)	.16**	.07**	.23**
% Latino Teachers (1993)	.41**	...	...
% Latino Board Members (1993)	.02 ⁰	.01	.05**
<i>Interaction</i>			
Ward Structure (1993)	.39	.64	.14
x % Latino Board Members (1993)	.03*	.05*	.02
Number of Cases	822	410	412
R ²	.68	.21	.65
F	99.12**	46.17**	77.61**

* indicates significance at $\leq .05$ ** $\leq .01$ ⁰ $\leq .10$
 All models estimated using STATA 8.0, White-Huber standard errors used.

⁴¹ All models include (2001) controls for % Latino population in district, % Latinos with a high school diploma, % Latinos below poverty, and total enrollment. In the interest of clarity, I do not report these results here.

Table 5.3. Explaining School Board Representation in Latino Minority Districts: 1993 – 2001

OLS Dependent Variable: % of Board that is Latino (in 2001-02)

Independent Variables ⁴²	All Districts	Latino Representation in 1993-94?	
		No	Yes
% Latino Admin. (1993)	.01	.04	-.05
% Latino Teachers (1993)	.27	.22	.96 ⁰
% Latino Board Members (1993)	.69**	...	...
<i>Interaction</i>			
Ward Structure (1993)	-1.13	-1.04	-6.53
x % Latino Population (1993)	.15 ⁰	.26**	.18
Number of Cases	873	764	109
R ²	.57	.24	.18
F	25.97**	7.20**	3.41**

* indicates significance at $\leq .05$ ** $\leq .01$ ⁰ $\leq .10$

All models estimated using STATA 8.0, White-Huber standard errors used.

⁴² All models include (2001) controls for % Latino population in district, % Latinos with a high school diploma, % Latinos below poverty, % Non-Citizens, and total enrollment. In the interest of clarity, I do not report these results here.

unclear if this relationship is top-down or bottom-up, because endogeneity is already present in this sub-sample by definition. Also, there is no evidence of institutional effects in any of the models.

What about teachers? Table 5.2 presents the same analysis based on a Latino teacher (in 2001) dependent variable. Here, unlike in the cross-sectional results from chapter four, we see substantial evidence of a top-down process. After controlling for the percentage of teachers in 1993, Latino administrators are significantly and positively associated with more Latino teachers in 2001. Latino school board members are also associated with more Latino teachers in districts where there was already a bureaucratic presence in 1993. Most striking, in systems where there were no Latino teachers in 1993, Latino ward representation on the school board produces significant and positive teacher representation eight years later. Even after employing strict controls, Latino school board representation influences who is hired in the district years later, and in those districts with the least amount of bureaucratic representation we find that structure plays an influential role in the process.

Now we would like to see if bureaucratic representation has any influence on who gets elected to the school board. In table 5.3 we see the results of this examination. Contrary to expectations, Latino administrative levels in 1993 appear to have no effect on Latino legislative representation in 2001. In addition, we see very little evidence of teacher influence, except perhaps in districts that already have Latino representation (column three). But much like the results in table 5.1 this finding simply reinforces causality questions, as it does not speak to whether one caused the other given that they

are both present and related from the starting point (1993). Instead, the top-down model of influence finds more support. Not only is Latino population associated with more Latino school board members, after controlling for representation levels in 1993, but ward election structures play an influential role in this process. Higher levels of descriptive representation are found in ward districts than in at-large systems, all else equal. More interesting is the result that indicates where this is taking place. In column two we see that among districts where there was no Latino representation in 1993, those using ward elections produced significantly more Latino representation.

Explaining Change over Time

The evidence presented in the first three tables builds support for a top-down model, but there is another way to look at this question. In tables 5.4 – 5.7 I use the amount of *change* in representation as dependent variables, instead of the observed levels in 2001. That is, I subtract the percentage of Latinos at each level in 1993 from their 2001 measures. The descriptive statistics for these change variables can be found in the appendices. In many ways these models represent the theoretical story much more closely because we are interested in how each group affects the amount of change over time.

Table 5.4 displays the results of administrative change regressed on the independent variables from 1993. I control for the base level of representation in 1993, and test for independent effects from the other measures. Secondly, while the main

Table 5.4. Explaining *Change* in Latino Administration in Minority Districts: 1993 – 2001

OLS Dependent Variable: Change in % Latino Administrators (1993-2001)

	All Districts	No Latino Administrators in 1993-94
Independent Variables ⁴³		
% Latino Admin. (1993)	-.47**	...
% Latino Teachers (1993)	.42**	.40*
% Latino Board Members (1993)	.02	-.01
<i>Interaction</i>		
Ward Structure (1993)	1.18	.66
x % Latino Board Members (1993)	-.01	-.01
Number of Cases	812	721
R ²	.10	.05
F	5.24**	6.89**

* indicates significance at $\leq .05$ ** $\leq .01$ ⁰ $\leq .10$

All models estimated using STATA 8.0, White-Huber standard errors used.

⁴³ All models include controls for Change in % Latino population in district, Change in the % of Latinos with a high school diploma, Change in the % of Latinos below poverty, and total enrollment in 2001. In the interest of clarity, I do not report these results here.

Table 5.5. Explaining *Change* in Latino Teachers in Minority Districts:
1993 – 2001

OLS Dependent Variable: Change in % Latino Teachers (1993-2001)

	All Districts	No Latino Teachers in 1993-94
Independent Variables ⁴⁴		
% Latino Admin. (1993)	.17**	.09**
% Latino Teachers (1993)	-.38**	...
% Latino Board Members (1993)	.03*	.01
<i>Interaction</i>		
Ward Structure (1993)	1.43**	1.11 ⁰
x % Latino Board Members (1993)	.05**	.08*
Number of Cases	814	402
R ²	.23	.09
F	11.83**	14.12**

* indicates significance at $\leq .05$ ** $\leq .01$ ⁰ $\leq .10$

All models estimated using STATA 8.0, White-Huber standard errors used.

⁴⁴ All models include controls for Change in % Latino population in district, Change in the % of Latinos with a high school diploma, Change in the % of Latinos below poverty, and total enrollment in 2001. In the interest of clarity, I do not report these results here.

Table 5.6. Explaining *Change* in Latino Representation in Minority Districts: 1993 – 2001

OLS Dependent Variable: Change in % Latino Board Members (1993-2001)

	All Districts	No Latino Board Members in 1993-94
Independent Variables ⁴⁵		
% Latino Admin. (1993)	-.03	-.05
% Latino Teachers (1993)	.31	.09
% Latino Board Members (1993)	-.26**	...
<i>Interaction</i>		
Ward Structure (1993)	2.05	2.92*
x % Latino Population (1993)	-.02	-.02
Number of Cases	815	402
R ²	.16	.09
F	4.57**	14.12**

* indicates significance at $\leq .05$ ** $\leq .01$ ⁰ $\leq .10$

All models estimated using STATA 8.0, White-Huber standard errors used.

⁴⁵ All models include controls for Change in % Latino population in district, Change in the % of Latinos with a high school diploma, Change in the % of Latinos below poverty, and total enrollment in 2001. In the interest of clarity, I do not report these results here.

Table 5.7. Explaining *Change* in Latino Representation in Minority Districts: 1993 – 2001: Controlling for Structural Change

OLS Dependent Variable: Change in % Latino Board Members (1993-2001)

	All Districts	No Latino Board Members in 1993-94
Independent Variables ⁴⁶		
% Latino Admin. (1993)	-.05	-.07
% Latino Teachers (1993)	.51**	.47**
% Latino Board Members (1993)	-.28**	...
<i>Interaction</i>		
Ward Structure Change in 90's	-3.35	-3.01
x % Latino Population (1993)	.30*	.40**
x % Latino Administrators (1993)	.30	.80*
x % Latino Teachers (1993)	-.26	-.74
Number of Cases	869	760
R ²	.18	.25
F	4.42**	5.50**
* indicates significance at $\leq .05$ ** $\leq .01$ ⁰ $\leq .10$		
All models estimated using STATA 8.0, White-Huber standard errors used.		

⁴⁶ All models include controls for Change in % Latino population in district, Change in the % of Latinos with a high school diploma, Change in the % of Latinos below poverty, and total enrollment in 2001. In the interest of clarity, I do not report these results here.

independent variables of interest remain the same, the control variables have been converted into change variables to account for population and contextual changes during the 1990's. Again, these are very strict controls, and the coefficient magnitudes are unimportant. We are most interested in the sign and significance of each variable.

The results for the full sample in column one generally support the findings from table 5.1, with one significant difference. Latino administrators do not seem to come from districts with Latino school board representation, rather they seem to stem from population characteristics (both Latino population change and enrollment change were positive and significant), and from the ranks of teachers. There is strong evidence of home grown administration, particularly in districts with no Latino administrators in 1993 (column two). These are exactly the districts where we would expect to see some effects from the bureaucracy and from the school board. Evidence of school board influence is consistently absent.

In table 5.5, I perform the same analyses using the change in percentage of Latino teachers over the eight year period. There is strong evidence here for the top-down theoretical process. Not only do districts with more administrators and school board members bring in more teachers, but the effects of the election structure are significant as well. In fact, similar to the results from table 5.2, in districts where there were no Latino teachers in 1993, ward elected school board members (compared to their at-large counterparts) produce a positive influence on the dependent variable.

Table 5.6 provides a look at the opposite process. Consistent with table 5.3's findings, there is little evidence of a bottom up process. Teachers and administrators

have no influence on changes in Latino representation during the 1990's. Instead these changes come from the top of the political food chain: the people. Changes in Latino population and Latino education over the decade are the main contributors to representation change (results not shown). Lastly, the use of wards changes the representational intercept in those districts that had Latino representation in 1993. This is exactly where gains from structure are expected, as lack of representation is one of the key reasons for changing structure in the first place.

Next, I explore the Justice Department data on electoral change during the 1990's. These data allow us to look at two separate issues. First we want to know if districts that changed rules in the early part of the 90's, before the courts made it more difficult to do so, experienced the kind of change that their "already ward" and "at-large" counterparts did not. Districts that already used ward rules prior to the 1990's would not be expected to evidence as great a change as newly structured districts. Ninety-six Texas districts went through this change in the 1990's, and we want to see if the causal processes operate differently here than in other districts. This is particularly pertinent in terms of observed *change* during this time period. Districts that were using wards prior to 1990 would be expected to show smaller changes (if any) than those that were more recently granted the rule change.

Table 5.7 displays the results for a test of bottom-up influence. The other two (top-down) models are not presented, as their results are supportive of earlier outcomes. The findings in table 5.7 however, are intriguing. I created a dummy variable for the districts that changed election rules during the 1990's. I then interact this dummy

variable with Latino population, and each type of Latino bureaucrat to look for separate slope estimates in newly changed districts. These interaction slopes are comparable to both ward and at-large districts that did not experience change during the 1990's (creating a very tough and reasonable test for independent effects due simply to these new rules).⁴⁷ The Latino population consistently contributes to more Latino legislative representation. One of the most interesting findings however, is that the percentage of Latino administrators has a positive and significant influence on the dependent variable in districts where no Latinos were on the school board in 1993, *and the rules of the game were changed*. This is a fairly concrete bit of evidence (and one of the first so far) that Latino administrators in districts that change their election rules to favor Latino candidates are a significant factor in bringing them into office. In the absence of more consistent findings across estimations it is difficult to know if this is evidence of a general relationship, or is simply constrained to these changed environments.

Explaining Institutional Change

The data from the Justice Department also allow an examination of the factors that contribute to institutional change. To do this, I estimate a nonlinear Probit model that pits different theoretical perspectives against one another. There are three general groups of interest in explaining the change from at-large to ward districts during the 1990's. The first is the public. Whether it is a push from Latino voters, or from groups

⁴⁷ Excluding districts that already use wards to select their members would in effect turn the "Change" dummy into an informal "Ward" measure. This is not theoretically consistent. We want to know if these particular wards had any effect.

like MALDEF and LULAC advocating for Latinos, it is expected that districts with more Latinos, more education, and less poverty will experience rule changes. Latino education and poverty are indicators of the public resources available to litigate (or threaten litigation) institutional rule changes. Petitioning the Civil Rights Division for electoral changes is a costly process and should dissuade low resource areas from winning the right to transform. Also, urban areas of higher concentration should be more likely to change, thus enrollment is expected to have a positive influence.

After controlling for these general population characteristics, it is expected that districts with more Latino teachers and administrators will have a higher probability of initiating change. If the bureaucratic representation story is correct, these agents because of their information, expertise, and discretionary influence, should have some control over the rules of the game. If this relationship is found, it would put the previous representational findings in a much different perspective. This would be significant evidence for the power of the agent to help select their legislative masters.

Thirdly, because a lack of legislative representation is one of the necessary factors in the process of changing from at-large to ward rules, I expect Latinos on the school board to have a negative relationship with the probability of institutional change. More clearly, if Latinos are achieving descriptive representation in the district, the school system has good reason to believe that change is unnecessary. An alternative hypothesis is possible however. The story of wards is the story of turning descriptive representation into substantive representation. If, as the evidence consistently demonstrates, at-large elected Latinos are unable to convert their position into policy

outputs, then it is possible that they may advocate for institutional modification. Because of their high ranking position in the district, these members would have substantial amounts of political, social, and legal resources available for such action. This suggests that Latino board members have a positive influence on the probability of changing the rules of the game. The competing hypotheses are tested using a different measure of representation. In an effort to overcome the “constant representation” problem discussed previously, I transform the interval school board measure into a dummy variable: 0 = no representation on the board, and 1 = Latino representation. This changes the model from one that looks at increases in Latino representation across districts to one that examines the simple difference between some representation and none.

Lastly, I include measures of Black population and bureaucratic contextual factors because some of the districts that changed may be related to Black instead of Latino politics. The VRA was originally conceived in terms of Black civil rights’ protection, and it is important to control for these features of the district. During the time period under investigation, however, and due to the high concentration of Blacks in Texas to the largest cities (most of which changed their structures in the 1970’s and 1980’s) these measures are not expected to play a role in the process. For this decade and in this state, the process is conceived as one dominated by Latinos.

Table 5.8 presents the results of the Probit analysis. For obvious reasons the estimation excludes districts that have historically used wards. First, it is readily

Table 5.8. Explaining the Switch to Ward Elections During the 1990's in Minority Districts: Probit results

Dependent Variable: Change from At-large (0) to Ward (1) Elections (Excludes districts that already used wards in 1993)

	Coefficient (Standard Error)		Marginal Effect (When Latino Rep.=0, others at mean)
Independent Variables ⁴⁸			
Latino Representation (0,1; 1993)	.30	(.20)	.028
% Latino Population (1990)	.06**	(.01)	.007
% Latino Teachers (1993)	.002	(.02)	.000
% Latino Administrators (1993)	-.003	(.01)	-.000
% Latino with HS diploma (1990)	.91 ⁰	(.54)	.085
Enrollment (in 1000's; 1993)	.02*	(.01)	.000
% Black Teachers (1993)	-.002	(.02)	-.000
% Black Population (1990)	.02	(.01)	.002
% Black with HS diploma (1990)	.40	(.30)	.037
% Black Below Poverty (1990)	.74**	(.28)	.069
% Latino Below Poverty (1990)	.08	(.41)	.008
Constant	-3.15	(.32)	...
<hr/>			
Number of Cases	833		
Wald Chi ²	185.06**		
McFadden's Adj. R ²	.29		

⁴⁸ * indicates significance at $\leq .05$ ** $\leq .01$ ⁰ $\leq .10$
All models estimated using STATA 8.0.

apparent that neither Latino bureaucratic or legislative representation has anything to do with the decision to use ward rules. None of these measures achieves statistical significance, suggesting that the initial institution-building process has little to do with them. Population characteristics do influence this process however. Districts with more Latinos, higher Latino education levels, and higher overall enrollment are all more likely to change from at-large to ward systems during this time period. The marginal effect of the Latino education measure is particularly interesting in that it is the largest in the model. The marginal effects are generated with Latino representation set at zero, and the other variables at their means. Theoretically we are interested in the size of the effects when there is no Latino representation on the board.

By and large the measures of Black politics do not play a role in the institutional change process, with one interesting exception. Black education levels, population numbers and bureaucratic influence do not contribute significantly to the model, however Black poverty is significantly and positively associated with the likelihood of change. This is intriguing because in the presence of the other controls, districts with higher levels of Black poverty are more likely to move from at-large to ward rules. Not only is this contrary to expectations about community resources, but in light of the evidence favoring a Latino politics perspective, the findings support an interesting Black/Latino dynamic. This is speculation, but perhaps Black poverty in the district has an influence on the Latino decision process to campaign for redress. It is also possible that Black-influenced ward changes are simply about fixing underperforming districts,

and that this has nothing to do with Latino politics. Much more work in this area is needed before we can determine the causes. The general evidence does however fit with the substantial top-down support seen in the previous sections.

Discussion

Do organizational inputs reflect an overwhelming bureaucratic influence? I examined this question using a cross-sectional time series dataset encompassing eight years in Texas. The general results consistently support a pluralistic model of minority policy influence flowing from public demographic and resource characteristics to minority descriptive representation, and then to substantive outcomes. Ward structures interact with Latino board representation in the manner described by the national and Texas results from chapter three, but the relationship over time is strongest between Latino representatives and Latino teachers. Even in the presence of strict lagged controls, every model of street-level Latino representation showed evidence of a positive relationship between school members and teachers, and the relationship was strongest in districts with ward rules and districts where Latinos were underrepresented in the classroom.

I did not find the same type of evidence for administrative representation. While there is certainly a connection between Latino administrators and school board members, the causal process is still rather murky. Not only was there no general legislative influence on the recruitment of minority administrators, but even ward structures failed to provide additional institutional incentives for these outputs. This does not mean that

the strong cross-sectional findings are wrong, but it does mean that this relationship is much more complicated than when first conceived.

Although there was a fairly top-down flavor to the findings here, there were a few indications of an endogenous process in particular environments. Latino teachers were related positively to both administrative change (table 5.4) and Latino representation in 2001 (table 5.3). The first result is the most compelling because it is consistent across multiple tests and is significant in the most typical Texas environment, when teachers are present and Latino administrators are not. The finding reflects the home-grown nature of many administrators in Texas schools. The second result is interesting but inconsistent across estimations, and it is difficult to sort out the causal questions based on this alone.

Lastly, Latino administrators had one significant relationship with Latino board representation (table 5.7). In newly changed districts, Latino administrators appear to be very influential in bringing Latinos to the board. More compelling is that this occurs in districts with no Latino legislative representation in 1993, providing strong causal evidence for the effect. The result, however, stands alone in the bevy of null findings for this relationship, and so awaits future verification.

As for institutional change, the bureaucracy seems to play no active role in this process. At least at the level of the organization. It is possible that they function in accordance with Latino advocacy groups outside of the public organization, but it is not possible to tease out this relationship with these data. Instead, electoral rules appear to come from demographic characteristics, particularly Latino education and population

factors, although the role of Black poverty is substantial and significant. These models also need to be explored further using more precise estimation techniques (perhaps a survival model).

I discuss these results within the context of the entire project in the concluding chapter. I also discuss the full model using estimated lags for each component of this endogenous process.

CHAPTER VI

CONCLUSION

There were three stated purposes for the research presented here. The first was to explain how political institutions and policy outputs can change in the presence of a growing minority population when the preferences of these minorities differ from those of the majority. I discussed how representation in all three branches of government can lead to these changes, specifically in the local legislature and local bureaucracy.

Secondly, I demonstrated the relationship between local legislative representation of Latino minority populations to substantive policy outcomes that favor this minority group, and explained how variable electoral institutions influence this relationship. The third general purpose of this research was to make the argument that the study of minority politics need not take place within a theoretical vacuum. That is, I use theories of *minority* group behavior (as opposed to Latino group behavior), and relevant empirical tests, to inform mainstream democratic theory. The theory and findings speak to the ability of democratic theory to fully explain and predict changes in institutions, policy, and policy outputs in a dynamic preference environment. A minority politics research program can provide substantial insight into these processes.

I asked a simple question in this project: “Where does Latino legislative representation come from in a minority Latino environment?” The prime suspects in the causal story were the public and the bureaucracy. The former reflects a traditional, pluralistic, top-down model of policy influence. The latter suggests a less democratic (in many respects), but nonetheless effective means for gaining political influence when the

majority thwarts traditional efforts. I also examined the role of electoral institutions in this process, and conversely, the role of each of the actors in shaping institutional variation.

Using education policy as a means to test ideas about institutional effects, descriptive and substantive representation, and minority vs. majority politics, I was able to contribute to a number of issues in different subfields of political science.

Representation scholars interested in how under-represented groups can gain access to the policy process when denied traditional avenues find that minority bureaucrats may play an indirect role. Policy and political control theorists might be alarmed by the possibility of this function for the public agent. The results reported here speak to some of the circumstances that may lead to minority influence during the implementation process. Particular policy areas like education are more susceptible to policy shifts during implementation, mostly at the local level where outcomes are murky and the clientele are significant contributors to their production. The question is, “Does this happen, and if so, how?”

Education policy in the United States is characterized by a number of factors that contribute to an increased role for the minority representative. First, unlike other elections, school board contests are nonpartisan, creating a vacuum of information for voters who then rely on other candidate characteristics to make their decisions. Primary among these is a candidate’s race or ethnicity. Although I do not have the opportunity to test this claim directly, the results indicate overwhelming support for the assumption. In each of the models, the Latino population was positively and significantly associated

with the amount of legislative representation on the school board. Moreover, in single member ward elections, the power of Latinos to select one of their own increases substantially, and they appear to consistently take advantage of this new “influence technology” (Bertelli and Lynn 2004).

A second factor contributing to a greater role for minority representatives at the local level is the size of the legislative board. Minority members have more pull on a seven member legislative board than they do in a body of 100 or more members. Because of this I expect, and witness, a large amount of policy influence with the addition of just one Latino school board member.

Thirdly, school boards deal with policies that can be mapped on to a single issue space. Both legislators and clientele see student outcomes as the predominant measure of success and failure in the district, and typically see these in terms of majority versus minority policy shifts (whether it is budgeting decisions, staffing, capital improvements, etc.). Unlike other levels of government, this makes it easier for voters to decide if a candidate is producing preferable outcomes, and thus makes it easier for officeholders to understand what their constituency desires (whether it is an at-large or ward constituency). This single issue space allows us to model the differences between at-large and single member ward constraints in a straightforward manner using the logic of the median voter theorem.

Lastly, local level elections are one of the few types in the United States that still feature at-large rules. The conversation at the state and federal levels are about where to draw district lines to benefit minority and partisan constituencies. The unique local level

variation provides political scientists an opportunity to look at both institutional change and institutional effects on policy outputs and outcomes. Evaluations of these phenomena provide insight into the differences between descriptive and substantive representation that can no longer be observed beyond the local level. Theoretical and empirical leverage is incredible at this level of analysis because institutional variation is so rich and the policy differences between majority and minority populations are immense.

Using this distinctive setting, I examine the role of each actor in the organization in terms of their influence on organizational outputs, and on each other. Minority groups enter the policy process somehow; we want to know where they come from, and whether their influence differs from a normatively pleasing understanding of democratic political control. If Latino bureaucrats and legislators are “caused” by the population demographics of the district, or by other labor market features, then a pluralistic perspective of minority policy change is the most appropriate. If however, any of the representational changes over time are due to bureaucratic influence, or if the power of the bureaucrat extends to choosing the rules of the game or selecting their public masters, then the pluralist viewpoint is insufficient for minority politics.

The Public

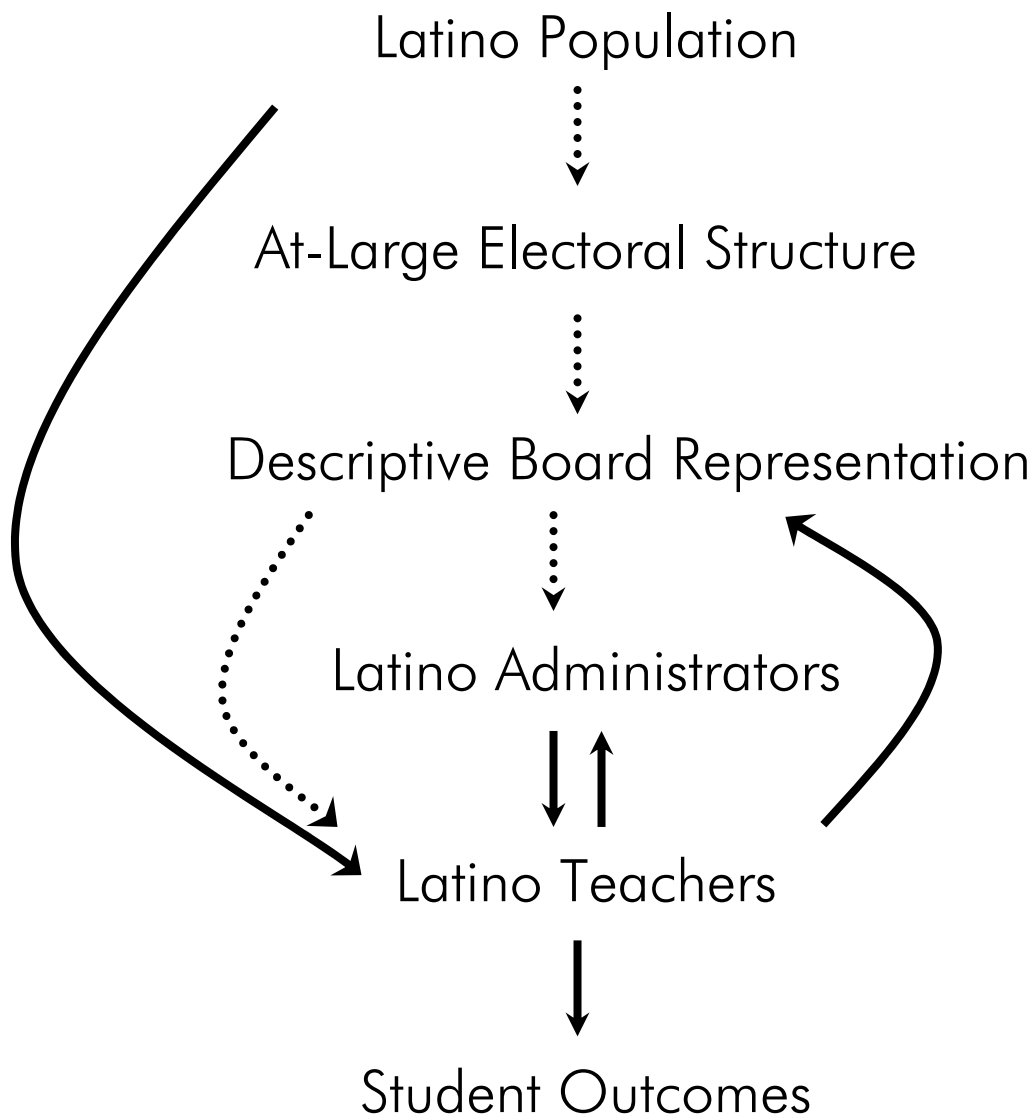
The public is the theoretical foundation of the policy process as their preferences are translated into bureaucratic outcomes through the public organization. The results largely support this pluralist, top-down perspective. The demographic characteristics of

school board members, teachers, administrators, and the electoral rules are all preceded by, and related to: the percentage of the population that is Latino, their level of educational attainment, and the percentage of non-citizens in the district. Figures 6.1 and 6.2 reflect the importance of these political principals in the policy process. Figure 6.1 presents organizational change in an at-large environment and figure 6.2 represents the causal chain in single-member ward school districts.

I find consistent evidence that in at-large elections, the public produces Latino representation, but this relationship is weak in Latino minority districts. Candidates must appeal to the entire district because of at-large constraints, creating disproportionate levels of descriptive representation. Compare this with figure 6.2, where the relationship between the public and their board representatives is much stronger when mediated by ward rules. These results were observed in every model of Latino descriptive representation in the paper. The public also plays a substantial role in producing Latino bureaucrats and administrators. As expected, these agents are more likely to be found in places with a larger Latino labor pool.

The role of the public is important in determining the rules under which their representatives are selected as well. After controlling for the influence of other actors in the process, I find that the greatest predictors of change from at-large to ward elections were Latino education levels and Latino population. This comes with a caveat though as Black poverty levels also seemed to play a substantial if undetermined role. No other Black demographic factor was important, suggesting a Latino dominated model of institutional change.

Figure 6.1. Theoretical Model in At-Large Districts



Local Legislators

Once Latinos gain legislative office, does electoral variation continue to be a factor in producing organizational change? Yes. In figure 6.1, we see that even in at-large districts, Latino representatives are weakly related to more Latino administrators and teachers, all else equal. In figure 6.2 we see the relationship between descriptive representation on the school board and substantive street-level staffing outputs is strengthened tremendously. A large amount of time series analysis confirms what the cross-sectional analyses did not: Latino school board members have a greater impact on the staffing of Latino teachers than they do on recruiting Latino administrators, and this causal process is more concrete in ward districts than in at-large districts.

Where do Latino school board members come from? Aside from the public, these legislative representatives appear to come from the influence of a large Latino street-level presence. This makes sense, although the exact nature of the casual mechanism remains unclear at this point. Most school districts in Texas (and across the country) have substantial minority representation *only* in the ranks of teachers. These agents show up first, and in some cases this leads to little change in the administrative and school board makeup, but in many cases these districts begin to show signs of bottom-up influence to other levels. I find consistent evidence for this influence throughout the project.

What about school administrators? Do they have any influence on school board representation? Yes, but only in a particular environment. Latino administrators seem to have a large effect on a Latino legislative presence in newly changed ward districts.

That is, they appear to take advantage of recently changed influence technology (ward rules) in an unintended but effective way. While there is evidence that Latino school board members have a weak impact on Latino management, the effect for a bottom-up influence is strong in this particular environment.

Bureaucrats

I found no evidence that Latino teachers or administrators have any affect on institutional change. There is simply no connection between more Latino bureaucrats and a greater probability that election rules will change, once population characteristics are taken into account. Instead, rules appear to change when Latino advocates like MALDEF, LULAC, or even unsuccessful school board candidates threaten to litigate against the organization.

Once implemented however, bureaucrats appear to take full advantage of the new rules. The relationship between Latino administrators and teachers is positive and significant in nearly every model, and is strengthened in particular environments. Latino administrators create room for Latino teachers in districts where there were none in the early 1990's. Conversely, Latino teachers contribute independently to the process of hiring Latino superintendents and other administrators where none existed in 1993. This endogenous relationship does not necessarily have to be anti-pluralist or anti-democratic. It is unknown if Latino teachers are simply being indoctrinated and selected on type to be administrators, or if they are using their substantial bargaining leverage to bring these people in. The evidence simply supports their endogenous affiliation.

Lastly, I looked at “new” wards, those districts that changed their rules some time during the 1990’s. Here I found one of the most interesting results in the paper. Administrators are substantially and significantly linked to the presence of Latino board members, years later, *only in these newly changed districts*. In at-large districts, these players have little to no influence on who their legislative master is. This is not the case in newly created ward environments. Here, these agents are very influential in helping select their political principal. Again, within the organization it is unclear how this process works itself out, although I provide a number of plausible theoretical reasons. In districts where there are no Latino board members in the early 90’s, Latino administrators and ward rules interact to create Latino legislators eight years later. This lends concrete weight to the bottom-up bureaucratic influence perspective.

Problems and Prospects

There are a number of potential problems with the current analysis. The first is highlighted by some of the differences between the findings in chapter four and chapter five. The cross-sectional analyses of both the national and state samples produced almost identical results concerning the interaction of descriptive representation and election structures. Latino legislators are associated with more Latino bureaucratic representation in ward systems than at-large ones. They are also more likely to get elected by ward than they are at-large. A cross-sectional analysis alone, however, may be inappropriate because it does not provide any insight into causality, particularly in a policy space where bureaucrats wield so much potential power.

Chapter five demonstrates that the strong link between Latino board members and Latino administrators was actually more tenuous than first thought. The relationship is consistent but weak. But this was the key to the causal chain in chapter four. How do these new results reconcile this? The results in chapter five suggest that the relationship between board members and teachers is much stronger than previously understood. Because of this, the causal chain looks a bit more complex but remains a top-down story for the most part.

The problem with the cross-sectional time series analysis is that legislative representation does not present itself well to a year to year analysis. For example, decreases in percentages from one year to the next are not expected to be associated with massive firings in the bureaucracy. More to the point, constant representation (very common in Texas) might have a substantial impact on the dependent bureaucratic variables, but will not show up empirically (a constant will not predict variation over time). This makes the use of traditional estimation procedures suspect for our purposes, so I use a variety of models to find out exactly who is causing whom. To correct these problems in the future I would want to collect more time points and possibly model legislative representation differently. Perhaps variation in the level of Latino representation is not the key factor in the causal process. Instead, a variable that would measure constant representation or simply the number of Latinos on the board would provide more leverage over time (given that most of the school boards in Texas are seven members).

Nonetheless, I provide fully fixed cross-sectional time series models for all three groups in tables 6.1 and 6.2. These models are under very tight restrictions, as both time and space is controlled by using dummies for each year and each district. I discovered the lag structure using a combination of modified granger tests and trial and error with different lags (AIC and BIC were used to determine the best fit). The difference between one lag and the next is minimal to the point of nonexistence, confirming that these models are most likely picking up cross-sectional variation from each year, rather than anything across time. They are included for the reader who would like to see what a full analysis looks like.

Thus qualified, we can take a brief look at the tables. For the most part they support the notion of a top-down policy process. Wards mediate the type of legislative representation observed, both descriptive and substantive. Administrators help bring in more Latino teachers, but the opposite is not true (column two in table 6.1). Lastly, administrators have little to do with Latino legislative representation, but teachers appear to have some positive effect. By and large, the fully fixed models are supportive of the findings from chapter four and five separately.

Because all of the analyses focus on the level of the organization, it is difficult to get into the black box with these data. That is, unlike much of the burgeoning political control literature, I am unable to say anything about actual policy preferences of any of the actors (except for the public perhaps). The next step in this project would be to find a way to measure the policy preferences of Latino legislators, bureaucrats and the public directly to see if bureaucrats are actually representing their “constituency” in a way that

Table 6.1. Fully Fixed Models with Appropriate Lags: Explaining Bureaucratic Change Across Time and Space

Dependent Variables:	% Latino Teachers		% Latino Administrators	
Independent Variables ⁴⁹	Coefficient (Robust Standard Error)		Coefficient (Robust Standard Error)	
% Latino on School Board	-.01	(.01)	-.01	(.03)
% Latino Students	.05**	(.01)	.01	(.03)
% Latino Teachers	...	(.02)	.13	(.10)
% Latino Administrators	.02*	(.01)	...	...
Ward Election (1 yr.lag)	.37	(.24)	...	...
Ward X Latino Repr. (1 yr. lag)	.05**	(.01)	...	...
Ward Election (3 yr. lag)	...	...	-.35	(.83)
Ward X Latino Repr. (3 yr. lag)	...	...	.12**	(.04)
1995 (Dummy)	.19**	(.08)	...	...
1996	.32**	(.07)	...	...
1997	.48**	(.07)	.14	(.20)
1998	.56**	(.07)	.35 ⁰	(.21)
1999	.58**	(.08)	.47**	(.19)
2000	.66**	(.09)	.58**	(.22)
2001	.84**	(.10)	.72**	(.26)
Constant	1.34	(.22)	1.58**	(.64)
Number of Cases	7119		5338	
F	31.03**		3.89**	
Adjusted R ²	.86		.69	

* indicates significance at $\leq .05$ ** $\leq .01$ ⁰ $\leq .10$

All models estimated using STATA 8.0, White-Huber standard errors reported.

⁴⁹ Models are fully fixed across space and time with dummies for years and districts. The different year dummies reflect the nature of the representational lag structure for each model.

**Table 6.2. Fully Fixed Models with Appropriate Lags.
Explaining Legislative Change Across Time and Space**

Dependent Variable: % Latino on School Board

Independent Variables ⁵⁰	Coefficient (Robust Standard Error)	
% Latino Students	.04*	(.02)
% Latino Teachers (4 Yr. Lag)	.11 ⁰	(.06)
% Latino Administrators (1 Yr. Lag)	.03	(.02)
Ward Election	-2.06*	(1.00)
Ward X Latino Population	.40*	(.20)
1998	-.09	(.11)
1999	-.12	(.11)
2000	.17	(.12)
2001	.03	(.12)
Constant	1.68*	(.71)

Number of Cases

4453

F

2.98**

Adjusted R²

.95

* indicates significance at $\leq .05$ ** $\leq .01$ ⁰ $\leq .10$

All models estimated using STATA 8.0, White-Huber standard errors reported.

⁵⁰ Models are fully fixed across space and time with dummies for years and districts. The different year dummies reflect the nature of the representational lag structure for each model.

differs from legislative intent. Until then, this evidence supports a strong top-down process with endogenous tendencies in particular environments.

I would also like to extend the time series analysis on both space and time dimensions. I would like to collect data in more states, particularly California (with strong teacher's unions), to see if there are other contextual factors that prevent or promote the observations here. I am in the process of looking at these phenomena for Blacks in Texas, and the interaction of conjoint Black and Latino legislative representation and its effects on bureaucratic outputs. Finally, more time points would benefit the current look at Texas. Many of the ward districts under observation here transformed their structures prior to the 1990's. Extremely valuable information could be gathered from a longer time analysis, beginning before any of these wards existed.

Pluralism or Not

I began this project with two competing frameworks of minority politics. The first, a traditional, pluralist, top-down perspective suggests that minorities use the legislature and the courts to create policy space for their preferences. Organized, educated, and informed Latino citizens are more likely to find political success through these outlets. The VRA and its extensions have "fixed" previous difficulties for this group in the political system. Bureaucrats who are appointed do so at the regard of a more representative legislature, and do not change policy in the school or in the classroom unless it comports with their delegated responsibility.

The results presented here by and large support this theoretical perspective.

When Latinos are denied access to candidates of their choice, they receive help from the courts and the federal government to win the rights to new “influence technologies” in the form of new election rules. The voters use this new tool to select Latino representatives who in turn produce preferred outputs at a higher rate than their at-large counterparts. But like Rodney Hero (1992), I am skeptical, and see some evidence that two levels of influence are present.

Most of the organizations under scrutiny had no legislative or management level Latinos in the system. Many of them did however, have a large percentage of Latino street-level bureaucrats. These agents’ relationship with their elected counterparts years later represents a critical role for this profession in bringing Latinos into the political process. Whether it is through training and indoctrination or through bargaining to bring in upper-level representatives, teachers play a large role in this policy system. They are not bystanders. Often, in areas where Latino parents and students seek policy change, their only advocates are Latino teachers. There is also some evidence that Latino administrators in particular environments were able to influence the legislature as well. The ability of minorities to make policy gains through the infiltration of an unelected bureaucracy is normatively unappealing in many respects, but it appears to have occurred in Texas during the 1990’s. Minorities are, at times, compelled to operate in a non-pluralistic manner to catch up with their Anglo majority counterparts.

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APPENDIX A: THE NATIONAL SAMPLE OF SCHOOL BOARDS USING AT-LARGE AND WARD ELECTIONS

STURCTURAL BREAKDOWN	VARIABLE	N	MEAN	STD. DEV.	MIN.	MAX.
Latino Minority/ At-Large Districts	% Latino Teachers	768	3.50	4.62	0.00	48.00
	% Latino Administrators	719	3.46	5.58	0.00	36.00
	% Latinos on Board	855	2.94	8.59	0.00	60.00
	% Latino Population	858	10.85	11.72	0.45	49.95
	% Latinos w/ H. S. Degree	838	68.53	16.61	6.90	100.00
	% Latinos in Poverty	837	13.54	12.38	0.00	100.00
	% Non-Citizens	858	22.40	13.58	0.00	69.78
Latino Minority/ Ward Districts	% Latino Teachers	291	2.76	5.01	0.00	31.00
	% Latino Administrators	274	2.82	6.52	0.00	44.00
	% Latinos on Board	328	2.18	8.96	0.00	80.00
	% Latino Population	328	8.18	11.01	0.29	48.84
	% Latinos w/ H. S. Degree	322	65.93	17.46	14.89	100.00
	% Latinos in Poverty	322	16.39	12.45	0.00	81.25
	% Non-Citizens	328	25.32	16.18	1.16	74.01
Latino Majority Districts	% Latino Teachers	85	40.50	24.52	7.00	94.00
	% Latino Administrators	85	41.79	26.99	2.40	98.00
	% Latinos on Board	88	51.90	31.12	0.00	100.00
	% Latino Population	89	69.91	14.48	50.59	97.84
	% Latinos w/ H. S. Degree	85	43.68	10.42	22.20	64.55
	% Latinos in Poverty	85	26.10	12.16	6.10	62.51
	% Non-Citizens	89	27.46	10.55	2.00	49.73

APPENDIX B: THE TEXAS SAMPLE OF SCHOOL BOARDS USING AT-LARGE AND WARD ELECTIONS

STRUCTURAL BREAKDOWN	VARIABLE	N	MEAN	STD. DEV.	MIN.	MAX.
Latino Minority/ At-Large Districts	% Latino Teachers	774	2.23	3.44	0.00	44.00
	% Latino Administrators	773	1.69	6.95	0.00	100.00
	% Latinos on Board	773	1.93	6.50	0.00	57.14
	% Latino Population	774	12.90	10.80	0.00	49.81
	% Latinos w/ H. S. Degree	765	49.25	20.87	0.00	100.00
	% Latinos in Poverty	769	23.96	16.42	0.00	100.00
	% Non-Citizens	769	20.66	15.45	0.00	100.00
Latino Minority/ by Ward Districts	% Latino Teachers	112	6.89	5.34	0.00	28.00
	% Latino Administrators	112	7.53	11.45	0.00	75.00
	% Latinos on Board	112	11.34	13.00	0.00	42.86
	% Latino Population	112	28.97	14.05	1.09	49.63
	% Latinos w/ H. S. Degree	112	45.14	13.79	0.00	100.00
	% Latinos in Poverty	112	26.61	10.24	0.00	75.00
	% Non-Citizens	112	15.56	12.61	0.00	60.00
Latino Majority Districts	% Latino Teachers	129	49.56	28.18	0.00	100.00
	% Latino Administrators	128	53.47	33.68	0.00	100.00
	% Latinos on Board	129	44.68	34.08	0.00	100.00
	% Latino Population	130	75.50	15.69	50.15	99.44
	% Latinos w/ H. S. Degree	130	45.10	9.58	22.18	67.62
	% Latinos in Poverty	130	32.36	8.17	16.18	53.91
	% Non-Citizens	130	12.36	9.75	0.61	41.11

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